

FOR OFFICIAL USE ONLY

APPLICATION FOR LICENSURE AND/OR EXAMINATION

SCHILLMOELLER, SUSAN MARIE
01/17/2007

By: ENDORSEMENT

IMPORTANT Note: Under 225 of the Code of Administrative Regulations. However, failure to comply may result in denial of the application.

Application for licensure and/or examination is VOLUNTARY.

The following materials are required to make Application for Licensure and/or Examination in Illinois:

1. Four page APPLICATION FOR LICENSURE AND/OR EXAMINATION.
2. INSTRUCTION SHEET, which gives step by step application instructions for your profession.
3. REFERENCE SHEET, which gives detailed coding information for your profession.
4. SUPPORTING DOCUMENTS, forms, and/or any other documentation you may be required to submit with your application.
5. If the name shown on your supporting documents is different from that shown on your application, you must submit PROOF OF LEGAL NAME change - copy of marriage license, divorce decree, affidavit or court order.

Carefully follow all steps outlined on the INSTRUCTION SHEET. In addition, note the following:

- A. Type or print legibly with black ink only.
- B. FEES ARE NOT REFUNDABLE.
- C. Disclosure of your U.S. social security number, if you have one, is mandatory, in accordance with 5 Illinois Compiled Statutes, 200.10-65 to obtain a license. The social security number may be provided to the Illinois Department of Public Aid to identify persons who are more than 30 days delinquent in complying with a child support order, or to the Illinois Department of Revenue to identify persons who have failed to file a tax return, pay tax, penalty or interest shown in a filed return, or to pay any final assessment or tax penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, or to other entities for verification of identification.

JAN 16 2007

PART I: Application Category Information

A. SEE REFERENCE SHEET, CHART I, OR INSTRUCTIONS PRIOR TO COMPLETING ITEMS 1 THROUGH 4

1. PROFESSION NAME <i>Clinical Social Worker</i>	2. PROFESSION CODE <i>149</i>	3. LICENSURE METHOD <i>Endorsement</i>	4. FEE <i>\$200.00</i>
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B. CHECK BOX INDICATING THE APPROPRIATE INFORMATION REGARDING YOUR APPLICATION

- This is the first time I have made application for this profession in Illinois.
- I have previously made application for this profession in Illinois. However, my previous application expired and I am now reapplying.
- Other: _____
- My application for this profession had previously been denied in Illinois. I am reapplying since I have fulfilled additional requirements.
- I have previously made application for this profession in Illinois. However, I am now applying under new statutory language.

PART II: Applicant Identifying Information--You must notify the Department of Financial and Professional Regulation - Division of Professional Regulation and/or Continental Testing Service in writing, of any address changes after you file this application in order to receive any further information.

1. NAME LAST FIRST MIDDLE <i>Schillmoeller, Susan Marie</i>	2. TITLE (e.g., M.D., D.D.S., etc.) -	3. UNITED STATES SOCIAL SECURITY NO. [REDACTED]
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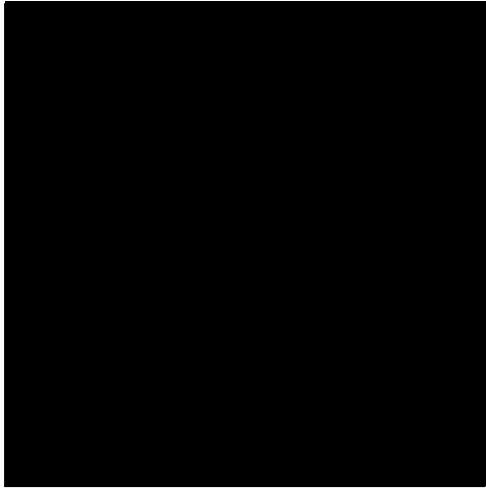
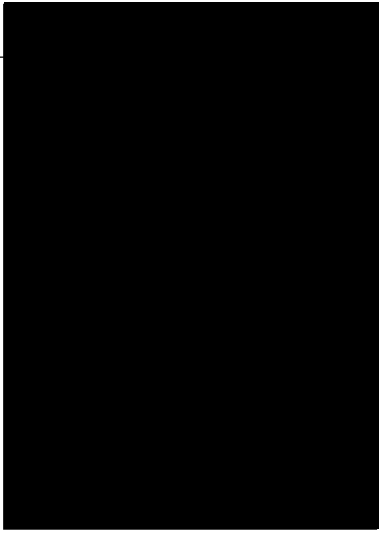
4. PERMANENT MAILING ADDRESS STREET CITY STATE/COUNTRY [REDACTED]	ZIP CODE [REDACTED]	COUNTY [REDACTED]
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5. BUSINESS ADDRESS STREET CITY STATE/COUNTRY <i>N/A</i>	ZIP CODE -	COUNTY -
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6. MAIDEN, GIVEN SURNAME, OR ANY NAME(S) UNDER WHICH SUPPORTING DOCUMENTS WILL BE SUBMITTED. (SEE INSTRUCTIONS #5 ABOVE) <i>N/A</i>	7. MOTHER'S MAIDEN NAME [REDACTED]
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8. PLACE OF BIRTH CITY STATE/COUNTRY <i>Chicago, IL</i>	9. DATE OF BIRTH [REDACTED]	10. AGE <i>46</i> <input checked="" type="checkbox"/> Female <input type="checkbox"/> Male
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11. TELEPHONE NUMBER WHERE YOU MAY BE REACHED Work: (<i>none</i>) _____ Home: [REDACTED] Fax: _____ Fax: _____	12. PREFERRED e-MAIL ADDRESS(ES) [if available] [REDACTED]
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NAME (Last, First, MI):

Schillmoller, Susan M

SS#

Profession:

149

PART III: Education Information

1. PRELIMINARY EDUCATION (Elementary and High School or G.E.D. Circle number of years completed)
 1 2 3 4 5 6 7 8 9 10 11 **(12)** Graduated High School? Yes No Received G.E.D.? Yes No

2. NAME OF LAST PRELIMINARY SCHOOL ATTENDED: Maine West High School
 3. LAST PRELIMINARY SCHOOL LOCATION (City and State): Des Plaines, IL 60016
 4. DATE OF GRADUATION: 05/11/97
Month Year

5. COLLEGE OR UNIVERSITY (Circle number of years completed)
 1 2 3 4 5 **(6)** 7 8 Graduated? Yes No

6. COLLEGE OR UNIVERSITY NAME (Undergraduate and Graduate)	LOCATION (City and State or Country)	DATES OF ATTENDANCE		TYPE OF DEGREE EARNED
		FROM	TO	
Antioch College	Yellow Springs, Ohio	9/81	5/84	B.A.
Iowa State University	Ames, Iowa	9/78	5/81	none - transferred to Antioch College
Catholic University of America	Washington DC	9/91	5/94	M.S.W.

7. SPECIALIZED TRAINING (Residency, Professional Training, Vocational Training, Practical or Clinical Training)

INSTITUTION NAME	LOCATION (City and State or Country)	DATES OF ATTENDANCE		Did You Complete Training?
		FROM	TO	
Clinical Fellowship @ University of Minnesota Center on Aging	Minneapolis, MN	3/98	8/98	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MN Area Geriatric Education Center				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

PART IV: Record of Licensure Information

If you have ever been licensed to practice the profession for which you are now making application, or held a related license, complete the information requested below. If you have ever held a temporary, trainee or apprenticeship license, or a permit, it must be listed here also. In addition, the INSTRUCTION SHEET enclosed with this Application package may instruct you to have Certification(s) of Licensure in other state(s) prepared and submitted in support of your application (contact other state(s) regarding possible fee). You must also list all other licenses held in Illinois, however, certification of licensure from Illinois is not required. Failure to disclose all licenses held may result in denial of your application or other appropriate action.

STATE	PROFESSION NAME	LICENSE NUMBER	DATE OF ISSUANCE	LICENSE STATUS (Active, Lapsed, etc.)
State of Original Licensure Minnesota	① Licensed Graduate Social Worker	11133	12/01/94	lapsed - moved to MA
	② Lic. Independent Social Worker	11133	10/06/97	
State of Current Licensure where you most recently have been practicing. Massachusetts	Lic. Independent Clinical Social Worker (LICSW)	107931	9/2/98	active
Other States of Licensure				

(If additional space is needed, attach a separate sheet.)

PART V: Record of Examination

If you have ever taken a licensure examination in Illinois or any other state for the profession for which you are now making application, you must complete the information requested below. EACH EXAMINATION ATTEMPT MUST BE SHOWN. Failure to disclose an examination attempt may result in the denial of your application or other appropriate action.

NAME OF EXAMINATION	STATE	MONTH/YEAR	EXAM RESULTS
MIN Board of Social Work + Licensure Examination (AASSWB National Advanced Exam)	Minnesota	8/2/97	[REDACTED]

(If additional space is needed, attach a separate sheet.)

NAME (Last, First, MI):

Schillmoeller, Susan M

SS#:

Profession:

149

NAME (Last, First, MI):

Schillmoller Susan M.

SS#:

Profession:

149

PART VI: Personal History Information (This part must be completed by all applicants)

	YES	NO
1. Have you been convicted of any criminal offense in any state or in federal court (other than minor traffic violations)? If yes, attach a certified copy of the court records regarding your conviction, the nature of the offense and date of discharge, if applicable, as well as a statement from the probation or parole office.		X
2. Have you been convicted of a felony?		X
3. If yes, have you been issued a Certificate of Relief from Disabilities by the Prisoner Review Board? If yes, attach a copy of the certificate.		X
4. Have you had or do you now have any disease or condition that interferes with your ability to perform the essential functions of your profession, including any disease or condition generally regarded as chronic by the medical community, i.e., (1) mental or emotional disease or condition; (2) alcohol or other substance abuse; (3) physical disease or condition, that presently interferes with your ability to practice your profession? If yes, attach a detailed statement, including an explanation whether or not you are currently under treatment.		X
5. Have you been denied a professional license or permit, or privilege of taking an examination, or had a professional license or permit disciplined in any way by any licensing authority in Illinois or elsewhere? If yes, attach a detailed explanation.		X
6. Have you ever been discharged other than honorably from the armed service or from a city, county, state or federal position? If yes, attach a detailed explanation.		X

PART VII: Examination Coding Information (This part is for examination applicants only) N/A

Refer to the REFERENCE SHEET enclosed with this application package and complete the following:

a) CHART II - Select examination(s) you desire and enter Test Codes.

b) CHART III - Select the examination site you desire and enter Test Center Code:

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c) CHART IV - Find your School of Graduation and enter school code:

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d) Record the number of times you have taken this exam in Illinois or any other state:

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PART VIII: Child Support and/or Student Loan Information (Every applicant is required by law to respond to the following questions)

1. In accordance with 5 Illinois Compiled Statutes 100/10-65(c), applications for renewal of a license or a new license shall include the applicant's Social Security number, and the licensee shall certify, under penalty of perjury, that he or she is not more than 30 days delinquent in complying with a child support order. **Failure to certify shall result in disciplinary action, and making a false statement may subject the licensee to contempt of court.**

Are you more than 30 days delinquent in complying with a child support order? Yes No

(NOTE: If you are not subject to a child support order, answer "no.")

2. In accordance with 20 Illinois Compiled Statutes 2105/2105-(5), "The Department shall deny any license or renewal authorized by the Civil Administrative Code of Illinois to any person who has defaulted on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State; however, the Department may issue a license or renewal if the aforementioned persons have established a satisfactory repayment record as determined by the Illinois Student Assistance Commission or other appropriate governmental agency of this State." (Proof of a satisfactory repayment record must be submitted.)

Are you in default on an educational loan or scholarship provided/guaranteed by the Illinois Student Assistance Commission or other governmental agency of this State? Yes No

PART IX: Certifying Statement

Under penalties of perjury, I declare that I have examined the application and all supporting documents submitted by me in connection therewith, and to the best of my knowledge, they are true, correct, and complete.

[Redacted Signature]

1-11-2007

Signature of Applicant

Date

I UNDERSTAND THAT FEES ARE NOT REFUNDABLE. My signature above authorizes the Department of Financial and Professional Regulation to reduce the amount of this check if the amount submitted is not correct. I understand this will be done only if the amount submitted is greater than the required fee hereunder, but in no event shall such reduction be made in an amount greater than \$50.

Association of Social Work Boards

OFFICIAL SCORE REPORT

SUSAN SCHILLMOELLER
016894203

Clinical Examination
06/29/07

EXAMINATION RESULTS: Pass
IL

Congratulations! You have passed the Clinical ASWB Examination. Below is the passing score for your jurisdiction, together with your score.

Within two weeks, your score will be automatically forwarded to the board in the jurisdiction in which you wish to be licensed. Please refer to information from your jurisdiction or information supplied to you by ASWB with your authorization letter (sheet entitled "After you've taken the test") to find out whether you need to contact your board to follow up on your licensure status.

If your name and/or address changes, please notify your jurisdiction's board immediately. You may be required to submit a copy of your marriage certificate, divorce decree, or court order to verify a name change.

IMPORTANT: Do not destroy this report. Please retain this report for future reference.

Clinical Examination Diagnostic Report

FOR: SUSAN SCHILLMOELLER

PASSING SCORE: 75

YOUR SCORE: 

IMPORTANT NOTICE: Completion of this form is necessary for consideration for licensure under 225 of the Illinois Compiled Statutes. Disclosure of this information is VOLUNTARY. However, failure to comply may result in this form not being processed.

CERTIFICATION OF EDUCATION

SUPPORTING DOCUMENT

ED

APPLICANT: Complete the applicant section of this form, then forward it to the school for completion of the remainder of the form.

1. NAME LAST FIRST MIDDLE <i>Schillmoeller, Susan Marie</i>			2. DATE OF BIRTH Month Day Year [REDACTED]	3. SOCIAL SECURITY NUMBER [REDACTED]
4. ADDRESS STREET, CITY, STATE, ZIP CODE [REDACTED]			5. REFER TO REFERENCE SHEET. Record profession name and three digit profession code for which you are making Illinois application. <i>Clinical Social Worker</i> <u>1 4 9</u> Profession Name Profession Code	
6. MAIDEN OR GIVEN SURNAME <i>Schillmoeller</i>			8. DATE OF GRADUATION / COMPLETION <u>05, 07, 1994</u> Month Day Year	
7. NAME OF INSTITUTION ATTENDED <i>The Catholic University of America</i>				

I hereby authorize a school official of the institution named above to furnish to the Illinois Department of Financial and Professional Regulation or its designated testing service the information requested below.

9-12-2006
Date

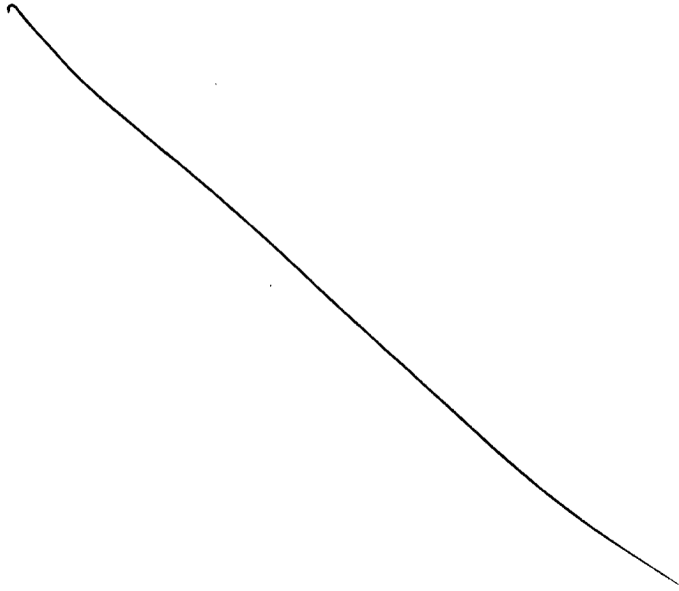
[REDACTED]
Signature of Applicant

SCHOOL OFFICIAL: Complete the bottom portion of this page and the reverse side. RETURN THE COMPLETED FORM TO THE APPLICANT.

A. NAME OF INSTITUTION <i>Catholic Univ.</i>	Office of the Registrar <i>The Catholic University of America</i> Washington, D.C. 20064	B. ADDRESS OF INSTITUTION STREET, CITY, STATE, ZIP CODE <i>Washington, D.C. 20064</i>
C. DEPARTMENT OF INSTITUTION <i>NESSS</i>	D. SPECIFIC PROGRAM OR CURRICULUM CONCENTRATION OF APPLICANT	
E. MAJOR AREA OF STUDY OF THE APPLICANT <i>Social Work</i>	F. APPLICANT WAS (CHECK ONE): <input checked="" type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input type="checkbox"/> Co-op	
G. CREDIT HOURS EARNED (CHECK ONE AND COMPLETE) <input checked="" type="checkbox"/> <u>60</u> Semester Hours <input type="checkbox"/> Quarter Hours <input type="checkbox"/> Course Hours	H. DATES OF ATTENDANCE From ___/___/___ To <u>5, 1, 94</u> Month Day Year Month Day Year	
I. Total academic years attended _____ OR _____ Total calendar years attended _____ Years Months Days	J. TYPE OF DEGREE OR CERTIFICATE AWARDED (e.g., B.A., M.A., M.D., Ph.D.) <i>MSW</i>	
K. DATE THAT DEGREE OR CERTIFICATE REQUIREMENTS WERE MET <u>5, 19, 94</u> Month Day Year	L. DATE THAT DEGREE OR CERTIFICATE WAS CONFERRED <u>5, 19, 1994</u> Month Day Year	
M. CHECK THE APPROPRIATE STATEMENT(S) AND COMPLETE <input checked="" type="checkbox"/> Applicant has graduated on <u>5, 19, 94</u> Month Day Year <input type="checkbox"/> Applicant will graduate on ___/___/___ Month Day Year <input type="checkbox"/> Applicant has completed program on ___/___/___ Month Day Year <input type="checkbox"/> Applicant will complete program on ___/___/___ Month Day Year		

N. IF EDUCATION PROGRAM WAS COMPLETED IN LESS THAN THE NORMALLY REQUIRED TIME, PLEASE EXPLAIN:

O. USE THIS SPACE TO RECORD ANY OTHER INFORMATION THAT YOU FEEL WOULD ASSIST THE DEPARTMENT IN EVALUATING THE APPLICANT'S EDUCATIONAL EXPERIENCES.



NAME (Last, First, MI):

Schillmoecker, Susan M.

SS#:

I certify that the information recorded herein is true and correct according to the official records of this institution.

Ed Schanfer

Print Name of School Official



Signature of School Official

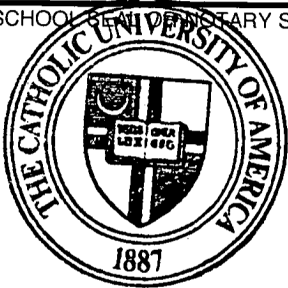
Enroll Services Coord

Title

10-2-06

Date

SCHOOL SEAL OR NOTARY SEAL



NOTE: If the institution does not have a school seal, this form must be notarized.

Subscribed and sworn before me this _____ day of _____, 20____.

Date of Expiration

Signature of Notary Public

SCHOOL OFFICIAL: RETURN THIS FORM TO APPLICANT

ATTENTION APPLICANT: FOR INCLUSION WITH THE APPLICATION PACKET.

Profession:

149 / Clinical Social Work

PART II. - APPLICANT EMPLOYMENT INFORMATION (Continued)

E. INDICATE YOUR OVERALL EVALUATION OF THE APPLICANT'S PERFORMANCE UNDER YOUR DIRECT SUPERVISION

Circle One Excellent Satisfactory Poor

 (5) 4 3 2 1

F. COMMENTS ABOUT APPLICANT'S JOB PERFORMANCE:

Susan is an extremely competent social worker who was a role model as a supervisor. She is extremely organized, thoughtful, and has excellent communication skills. Problems she solves well. She is extremely aware of the interagency issues within teams and families, is compassionate, caring and brings effective solutions to all decision making.

G. INDICATE PERCENTAGE OF APPLICANT'S TIME SPENT IN THE FOLLOWING AREAS:

PERCENT OF TIME WORKED	SERVICE AREA
45	1. Psychosocial assessments
5	2. Therapeutic interventions
45	3. Casework services
1	4. Community organization
3%	5. Management/supervision
1%	6. Educational experiences
0	7. Research
0	8. Teaching

The above indicated experience has been documented by myself and has been performed by the applicant pursuant to my order, control, and full professional and legal responsibility as a supervisor. I do hereby declare that the information contained herein is true and correct.

6/30/06

Date

[Redacted Signature]

Signature

Director of Social Services

Title

NAME (Last, First, MI)

Schlimmoller, Susan M

SS#:

Profession:

149

IMPORTANT NOTICE: Completion of this form is necessary for consideration for licensure under 225 of the Illinois Compiled Statutes. Disclosure of this information is VOLUNTARY. However, failure to comply may result in this form not being processed.

CERTIFICATION BY LICENSING AGENCY / BOARD

SUPPORTING DOCUMENT

CT

APPLICANT: Complete the applicant section of this form then forward this form to the jurisdiction in which you are requesting certification by a licensing agency/board. Contact certifying jurisdiction for appropriate fee. You are authorized to photocopy this form as necessary.

1. NAME LAST FIRST MIDDLE <u>Schillmoeller, Susan Marie</u>	2. DATE OF BIRTH [REDACTED]	3. SOCIAL SECURITY NUMBER [REDACTED]
4. ADDRESS STREET, CITY, STATE, ZIP CODE [REDACTED]	5. REFER TO REFERENCE SHEET. Record profession name and three digit profession code for which you are making Illinois application. <u>Clinical Social Worker</u> <u>149</u> Profession Name Profession Code	
6. MAIDEN OR GIVEN SURNAME <u>None Schillmoeller</u>	7. APPLICANT TELEPHONE NUMBER (Daytime) Area Code [REDACTED]	
8a. RECORD PROFESSION NAME AS IT APPEARS ON YOUR LICENSE FROM THE JURISDICTION TO WHICH THIS FORM IS BEING FORWARDED. (If applicable) <u>Lic. Independent Social Worker (LISW)</u>	8b. LICENSE NUMBER (If applicable) <u>11133</u> 107937	8c. ISSUANCE DATE OF LICENSE (If applicable) <u>10-6-1997</u>

I hereby authorize MN Board of Social Work to furnish to the Illinois Department of Financial and Professional Regulation or its designated testing service, the information requested below.
Name of Licensing Agency or Board
Signature [REDACTED] Date 9-7-06

RETURN COMPLETED FORM TO APPLICANT

LICENSING AGENCY: The Illinois Department of Financial and Professional Regulation will accept other forms of certification provided all applicable information requested on this form is contained in the certification. Please record N/A in areas which are not applicable.

PART I - CERTIFICATION OF EXAMINATION STATUS

A. The applicant has written is scheduled to write the following examination:
ASWB Advanced 8/2/97
Name of Examination Date of Examination

B. The applicant has or will have written the above-named examination 1 number of times.

PART II - CERTIFICATION OF LICENSURE

A. NAME OF PROFESSION AS IT APPEARS ON LICENSE <u>Licensed Independent Social Worker</u>	B. LICENSE NUMBER <u>11133</u>
C. ISSUANCE DATE OF LICENSE <u>10/6/97</u>	D. EXPIRATION DATE OF LICENSE <u>4/30/99</u>

E. LICENSURE METHOD

Examination (Administered in Your State)

National (Name) ASWB Advanced

State Constructed

Other (Name)

Endorsement of License (State)

Acceptance of Examination Results (Administered in Another State)

Reciprocity with (State)

Waiver/Grandfather

Credentials

Other (Describe)

F. CURRENT LICENSURE STATUS

Active

Inactive

Lapsed

Other (Explain) Expired

G. IF LICENSURED BY EXAMINATION, RECORD SCORES

Type of Examination N/A Score _____

Written _____

Practical _____

Other (Describe) _____

Received no Grade Below _____

Examination Period _____ days _____ hours

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Second section of faint, illegible text, appearing as several lines of a document.

Third section of faint, illegible text, continuing the document's content.

Fourth section of faint, illegible text, possibly containing a list or detailed notes.

Fifth section of faint, illegible text at the bottom of the page, possibly a conclusion or footer.

PART III - CERTIFICATION OF EXAMINATION SCORES

A1. National or other Profession Specific Examination
(Record all available information)

Date of Examination

N/A * Must get scores from ASWB.

Scaled Score	_____	Raw Score	_____
Standard Deviation	_____	Corrected Score	_____
National Mean	_____	Percent Score	_____

A2.

SUBJECT	DATE	SCORE	SUBJECT	DATE	SCORE

B. State Constructed Examination

SUBJECT	DATE	SCORE	SUBJECT	DATE	SCORE

PART IV - FORMAL ACTIONS

- A. Is there now or has there ever been any formal action commenced against the applicant? Yes No
- B. Have there ever been any formal sanctions imposed against the applicant as a matter of public record including but not limited to fine, reprimand, probation, censure, revocation, suspension, surrender, restriction or limitation? (If yes, attach a certified copy of disciplinary action.) Yes No

PART V - RECIPROCAL REGISTRATION

This state does does not grant the same privilege of reciprocal registration to Illinois registrants.

I certify that the information contained herein is true and correct according to the official records of the State.

SEAL

Christina Wright
Print Name

Investigator
Title

2829 University Ave SE, #340
Agency/Board Street Address

Minneapolis, MN 55414
City, State, ZIP Code

Signature

9/22/06
Date

(612) 617-2100
Area Code () Telephone Number

Attention Licensing Agency/Board: RETURN THIS FORM TO THE APPLICANT.

Attention Applicant: FOR INCLUSION WITH APPLICATION PACKET.

NAME (Last, First, MI):

Schillmoeller, Susan M.

SS#:

Profession:

149 Clinical Social Work

1000

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IMPORTANT NOTICE: Completion of this form is necessary for consideration for licensure under 225 of the Illinois Compiled Statutes. Disclosure of this information is VOLUNTARY. However, failure to comply may result in this form not being processed.

CERTIFICATION BY LICENSING AGENCY / BOARD

SUPPORTING DOCUMENT

CT

APPLICANT: Complete the applicant section of this form then forward this form to the jurisdiction in which you are requesting certification by a licensing agency/board. Contact certifying jurisdiction for appropriate fee. You are authorized to photocopy this form as necessary.

1. NAME LAST FIRST MIDDLE <u>Schillmoeller, Susan Marie</u>	2. DATE OF BIRTH Month Day Year [REDACTED]	3. SOCIAL SECURITY NUMBER [REDACTED]
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4. ADDRESS STREET, CITY, STATE, ZIP CODE [REDACTED]	5. REFER TO REFERENCE SHEET. Record profession name and three digit profession code for which you are making Illinois application. <u>Clinical Social Worker</u> <u>149</u> Profession Name Profession Code
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6. MAIDEN OR GIVEN SURNAME <u>Schillmoeller</u>	7. APPLICANT TELEPHONE NUMBER (If applicable) Area Code [REDACTED]
--	---

8a. RECORD PROFESSION NAME AS IT APPEARS ON YOUR LICENSE FROM THE JURISDICTION TO WHICH THIS FORM IS BEING FORWARDED. (If applicable) <u>LICSW (MASS.)</u>	8b. LICENSE NUMBER (If applicable) <u>107931 (MA)</u>	8c. ISSUANCE DATE OF LICENSE (If applicable) <u>09/2001 1998</u>
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I hereby authorize MA Bd of Social Work / Div. of Professional Licensure to furnish to the Illinois Department of Financial and Professional Regulation or its designated testing service, the information requested below.

Name of Licensing Agency or Board of Professional Licensure

Signature [REDACTED] Date 9-12-06

RETURN COMPLETED FORM TO APPLICANT

LICENSING AGENCY: The Illinois Department of Financial and Professional Regulation will accept other forms of certification provided all applicable information requested on this form is contained in the certification. Please record N/A in areas which are not applicable.

PART I - CERTIFICATION OF EXAMINATION STATUS

A. The applicant has written is scheduled to write the following examination:

Name of Examination _____ Date of Examination _____

B. The applicant has or will have written the above-named examination _____ number of times.

PART II - CERTIFICATION OF LICENSURE

A. NAME OF PROFESSION AS IT APPEARS ON LICENSE <u>SUSAN MARIE SCHILLMOELLER</u>	B. LICENSE NUMBER <u>SW 107931-1</u>
C. ISSUANCE DATE OF LICENSE <u>8/15/98</u>	D. EXPIRATION DATE OF LICENSE <u>10/1/08</u>

E. LICENSURE METHOD

<input type="checkbox"/> Examination (Administered in Your State)	<input checked="" type="checkbox"/> Reciprocity with (State) <u>MA</u>
<input type="checkbox"/> National (Name) _____	<input type="checkbox"/> Waiver/Grandfather
<input type="checkbox"/> State Constructed _____	<input type="checkbox"/> Credentials
<input type="checkbox"/> Other (Name) _____	<input type="checkbox"/> Other (Describe) _____
<input checked="" type="checkbox"/> Endorsement of License (State)	
Acceptance of Examination Results _____	
(Administered in Another State)	

F. CURRENT LICENSURE STATUS	G. IF LICENSED BY EXAMINATION, RECORD SCORES
<input checked="" type="checkbox"/> Active	Type of Examination _____ Score _____
<input type="checkbox"/> Inactive	Written _____
<input type="checkbox"/> Lapsed	Practical _____
<input type="checkbox"/> Other (Explain) _____	Other (Describe) _____
_____	Received no Grade Below _____
_____	Examination Period _____ days _____ hours

1100

1100

1100

1100

1100

1100

1100

1100

1100

1100

1100

PART III - CERTIFICATION OF EXAMINATION SCORES

A1. National or other Profession Specific Examination

Date of Examination _____

(Record all available information)

Scaled Score	_____	Raw Score	_____
Standard Deviation	_____	Corrected Score	_____
National Mean	_____	Percent Score	_____

A 2.

SUBJECT	DATE	SCORE	SUBJECT	DATE	SCORE

B. State Constructed Examination

SUBJECT	DATE	SCORE	SUBJECT	DATE	SCORE

PART IV - FORMAL ACTIONS

A. Is there now or has there ever been any formal action commenced against the applicant? Yes No

B. Have there ever been any formal sanctions imposed against the applicant as a matter of public record including but not limited to fine, reprimand, probation, censure, revocation, suspension, surrender, restriction or limitation? (If yes, attach a certified copy of disciplinary action.) Yes No

PART V - RECIPROCAL REGISTRATION

This state does does not grant the same privilege of reciprocal registration to Illinois registrants.

I certify that the information contained herein is true and correct according to the official records of the State.

SEAL

Joseph A. LaFrazia
Print Name

Board Admin
Title

BOARD OF REGISTRATION OF SOCIAL WORKERS
Agency/Board Street Address
239 Causeway Street, 5th Fl.
Boston, MA 02114
City, State, ZIP Code

[Redacted]
Signature

10/4/06
Date

(617) 727 3064
Area Code Telephone Number

Attention Licensing Agency/Board: RETURN THIS FORM TO THE APPLICANT.

Attention Applicant: FOR INCLUSION WITH APPLICATION PACKET.

NAME (Last, First, MI):

Schillmoller, Susan M

SS#:

Profession:

149/Clinical Social Work



IMPORTANT NOTICE: Completion of this form is necessary for consideration for licensure under 225 of the Illinois Compiled Statutes. Disclosure of this information is VOLUNTARY. However, failure to comply may result in this form not being processed.

WORK HISTORY

SUPPORTING DOCUMENT

WH

APPLICANT: Complete Work History. If you have never been employed you may stop at box 8. You are authorized to photocopy this form if additional space is required.

1. NAME LAST FIRST MIDDLE <p style="text-align: center; font-size: 1.2em;">Schillmoeller, Susan Marie</p>	2. DATE OF BIRTH <div style="background-color: black; width: 100px; height: 20px; margin: 5px 0;"></div> <small>Month Day Year</small>	3. SOCIAL SECURITY NUMBER <div style="background-color: black; width: 100px; height: 20px; margin: 5px 0;"></div>
4. ADDRESS STREET, CITY, STATE ZIP CODE <div style="background-color: black; width: 100%; height: 30px; margin: 5px 0;"></div>	5. REFER TO REFERENCE SHEET. Record profession name and three digit profession code for which you are making Illinois application. <p style="text-align: center; font-size: 1.2em;">Clinical Social Worker 1 4 9</p> <small style="display: flex; justify-content: space-around;"> Profession Name Profession Code </small>	
6. MAIDEN OR GIVEN SURNAME <p style="text-align: center; font-size: 1.2em;">None</p>	7. CHECK HERE IF YOU HAVE NEVER BEEN EMPLOYED. <input type="checkbox"/>	8. DATE FORM COMPLETED <p style="text-align: center; font-size: 1.2em;">1-11-2007</p>

9. RECORD WORK HISTORY CHRONOLOGICALLY - Complete Work History beginning with present employment and concluding with graduation. You must account for the entire time period including periods of unemployment and volunteer work, etc.

A. NAME OF BUSINESS / INSTITUTION <p style="text-align: center; font-size: 1.2em;">Farren Care Center</p>	JOB TITLE <p style="text-align: center; font-size: 1.2em;">Social Worker II</p>
ADDRESS STREET, CITY, STATE, ZIP CODE <p style="text-align: center; font-size: 1.2em;">340 Montague City Rd. Turners Falls, MA 01376</p>	DESCRIPTION OF DUTIES PERFORMED <p style="font-size: 0.9em;">Clinical assessment and provision of clinical social work to clients with mental illness and dementia that enhances the quality of their mental health services as residents of a specialized long-term care facility. Provided ongoing clinical interventions and medical social work to residents, families, staff & other agency personnel. Completion of all required records & documentation.</p>
SUPERVISOR NAME <p style="text-align: center; font-size: 1.2em;">Judith Fonsh, MSW, LICSW</p>	DATE OF EMPLOYMENT/ATTENDANCE From <u>04/28/2003</u> <small>Month Day Year</small> To <u>06/30/2006</u> <small>Month Day Year</small>
HOURS WORKED PER WEEK <p style="text-align: center; font-size: 1.2em;">30</p>	TYPE OF EMPLOYMENT <input checked="" type="checkbox"/> Full-time <input type="checkbox"/> Part-time
TOTAL TIME WORKED (Year/Month) <p style="text-align: center; font-size: 1.2em;">3 yrs, 2 mos.</p>	

B. NAME OF BUSINESS / INSTITUTION <p style="text-align: center; font-size: 1.2em;">RIVERBEND MEDICAL GROUP</p>	JOB TITLE <p style="text-align: center; font-size: 1.2em;">Medical Social Worker</p>
ADDRESS STREET, CITY, STATE, ZIP CODE <p style="text-align: center; font-size: 1.2em;">444 Montgomery St. Chicopee, MA 01020-1997</p>	DESCRIPTION OF DUTIES PERFORMED <p style="font-size: 0.9em;">Biopsychosocial assessments, care planning, and management, and counseling to chronically ill adult/geriatric patients and families of large medical group. Worked in collaboration with, and consulted to, interdisciplinary providers and case management team of medical practice.</p>
SUPERVISOR NAME <p style="text-align: center; font-size: 1.2em;">JAN OLSON, RN, BSN</p>	DATE OF EMPLOYMENT/ATTENDANCE From <u>09/21/1998</u> <small>Month Day Year</small> To <u>12/31/2002</u> <small>Month Day Year</small>
HOURS WORKED PER WEEK <p style="text-align: center; font-size: 1.2em;">40</p>	TYPE OF EMPLOYMENT <input checked="" type="checkbox"/> Full-time <input type="checkbox"/> Part-time
TOTAL TIME WORKED (Year/Month) <p style="text-align: center; font-size: 1.2em;">4 years, 3 mos.</p>	

C. NAME OF BUSINESS / INSTITUTION <i>Health Partners, Continuing Care Dept.</i>		JOB TITLE <i>Social Worker</i>	
ADDRESS STREET, CITY, STATE, ZIP CODE <i>8100 34th Ave. South P.O. Box 1309 Minneapolis, MN 55440-1309</i>		DESCRIPTION OF DUTIES PERFORMED <i>Psychosocial assessments, development & implementation of treatment plan, and counseling & intervention with adult clients with chronic or terminal illness. Include case mgmt, advocacy, referrals.</i>	
SUPERVISOR NAME <i>Cynthia Daughtry, MSW, LICSW; Ann Bukoskey, MSW, LISW, ACSW</i>		In addition, I provided assessment & planning for geriatric patients & their families with complex care needs at weekly Geriatric Assessment Clinic.	
DATE OF EMPLOYMENT/ATTENDANCE	HOURS WORKED PER WEEK		
From <i>09, ? , 1994</i> Month Day Year	<i>9/94 to 7/95 - 26 hrs (average) 7/95 to 8/97 - 37.5 hrs 9/97 to 7/98 - 32 hrs</i>		
To <i>07, 30, 1998</i> Month Day Year	TYPE OF EMPLOYMENT <input checked="" type="checkbox"/> Full-time <input type="checkbox"/> Part-time <i>except as noted</i>		
TOTAL TIME WORKED (Year/Month) <i>3 years, 10 months</i>			
D. NAME OF BUSINESS / INSTITUTION <i>George Washington University Medical Center Geriatric Assessment & Case Management Program</i>		JOB TITLE <i>Social Worker</i>	
ADDRESS STREET, CITY, STATE, ZIP CODE <i>4000 Albemarle St, NW Suite 100 Washington DC 20016</i>		DESCRIPTION OF DUTIES PERFORMED <i>Psychosocial assessment, treatment, crisis intervention, & case mgmt of at-risk older adults with multiple biopsychosocial problems & their families.</i>	
SUPERVISOR NAME <i>Barbara Soniat, Ph.D., LICSW</i>			
DATE OF EMPLOYMENT/ATTENDANCE	HOURS WORKED PER WEEK		
From <i>05, ? , 1994</i> Month Day Year	<i>40</i>		
To <i>06, ? , 1994</i> Month Day Year	TYPE OF EMPLOYMENT <input checked="" type="checkbox"/> Full-time <input type="checkbox"/> Part-time		
TOTAL TIME WORKED (Year/Month) <i>2 months - temporary position only</i>			
E. NAME OF BUSINESS / INSTITUTION <i>Same as "D"</i>		JOB TITLE <i>Social Work Intern</i>	
ADDRESS STREET, CITY, STATE, ZIP CODE		DESCRIPTION OF DUTIES PERFORMED <i>Same as "D" - this was my 2nd year field instruction for M.S.W. degree</i>	
SUPERVISOR NAME <i>Same</i>			
DATE OF EMPLOYMENT/ATTENDANCE	HOURS WORKED PER WEEK		
From <i>09, ? , 1993</i> Month Day Year	<i>20</i>		
To <i>04, ? , 1994</i> Month Day Year	TYPE OF EMPLOYMENT <input type="checkbox"/> Full-time <input checked="" type="checkbox"/> Part-time		
TOTAL TIME WORKED (Year/Month) <i>8 months</i>			

NAME (Last, First, MI):

Schillmoeller, Susan M

SS#:

Profession:

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C. NAME OF BUSINESS / INSTITUTION St. Luke's House		JOB TITLE Rehabilitation Counselor	
ADDRESS STREET, CITY, STATE, ZIP CODE 6040 Southport Drive Bethesda, MD 20814		DESCRIPTION OF DUTIES PERFORMED Counseling for adults w/ chronic and persistent mental illness	
SUPERVISOR NAME John Weibel, MSW			
DATE OF EMPLOYMENT/ATTENDANCE		HOURS WORKED PER WEEK	
From 09 / 1 / 1992 Month Day Year		intermittent "on call hours"	
To 05 / 1 / 1994 Month Day Year		TYPE OF EMPLOYMENT	
		<input type="checkbox"/> Full-time <input checked="" type="checkbox"/> Part-time	
TOTAL TIME WORKED (Year/Month) intermittently 1 year, 8 mos.			
D. NAME OF BUSINESS / INSTITUTION St. Luke's House		JOB TITLE Social Work Intern (1st year field instruction)	
ADDRESS STREET, CITY, STATE, ZIP CODE Same as "C"		DESCRIPTION OF DUTIES PERFORMED Counseling & case management for adults w/ chronic & persistent mental illness.	
SUPERVISOR NAME John Weibel, MSW			
DATE OF EMPLOYMENT/ATTENDANCE		HOURS WORKED PER WEEK	
From 09 / ? / 1991 Month Day Year		16	
To 04 / ? / 1992 Month Day Year		TYPE OF EMPLOYMENT	
		<input type="checkbox"/> Full-time <input checked="" type="checkbox"/> Part-time	
TOTAL TIME WORKED (Year/Month) 9 months			
E. NAME OF BUSINESS / INSTITUTION		JOB TITLE	
ADDRESS STREET, CITY, STATE, ZIP CODE		DESCRIPTION OF DUTIES PERFORMED	
SUPERVISOR NAME			
DATE OF EMPLOYMENT/ATTENDANCE		HOURS WORKED PER WEEK	
From / / Month Day Year			
To / / Month Day Year		TYPE OF EMPLOYMENT	
		<input type="checkbox"/> Full-time <input type="checkbox"/> Part-time	
TOTAL TIME WORKED (Year/Month)			

NAME (Last, First, MI):

Schillmoeller, Susan M.

SS#:

Profession:

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- Notes
- See attachment for periods of unemployment ^{3/3}
 - This Work History consists of all work since completion of M.S.W. and field instruction.

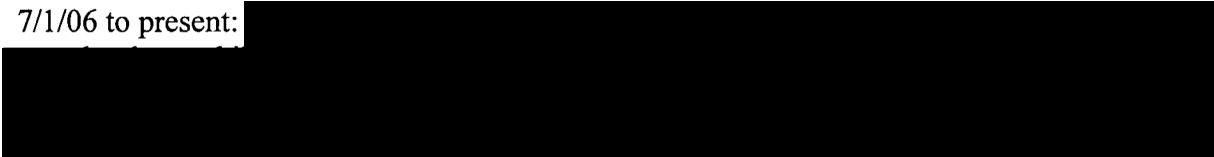
WORK HISTORY, SUPPORTING DOCUMENT (attachment)
IL Application for Clinical Social Worker, 149

Schillmoeller, Susan M.



PERIODS OF UNEMPLOYMENT:

7/1/06 to present:



1/1/2003 to 4/27/2003:



August to Sept. 1998: Relocation from Minnesota to Massachusetts. Conducted job search during this period.

July 1994 to Sept. 1994: Travel; relocation from Maryland to Minnesota; conducted job search upon relocation to MN. Began working at HealthPartners in Minneapolis in Sept. 1994.

UNIVERSITY OF MINNESOTA

SCHOOL OF PUBLIC HEALTH

MINNESOTA AREA GERIATRIC EDUCATION CENTER

CERTIFICATE OF ATTENDANCE


This certifies that


Susan Schillmoeller

Successfully completed the 1998 Minnesota Area Geriatric Education Center's Clinical Fellows program.

University of Minnesota
Minneapolis, Minnesota

This program has been designed to meet approval for 40 contact hours. Disciplines are responsible for determining whether this activity meets the requirements for acceptable continuing education credit.


Robert L. Kane, MD
Director
Minnesota Geriatric Education Center


Mary Olsen Baker, MSG, MPA
Coordinator
Minnesota Geriatric Education Center

[REDACTED]

IL Department of Financial and Professional Regulation
ATTN: Division of Professional Regulation
P.O. Box 7007
Springfield, IL 62791

RE: Application for Endorsement of Clinical Social Work License (149)

[REDACTED]

To Whom It May Concern:

Enclosed are my completed application, supporting documents, and \$200 application fee requesting endorsement of a Clinical Social Worker license in Illinois. I recently relocated to Illinois from Massachusetts where I have been a Licensed Independent Clinical Social Worker (LICSW) since 1998 (license still active).

I have requested my exam scores from ASWB. I passed the Advanced exam for my original licensure in Minnesota in 1997. Please see note below requesting endorsement of this exam.

PLEASE NOTE:

I am also requesting a variance to the Illinois requirement of endorsing only the ASWB Clinical Exam for Clinical Social Worker applicants based on Sec. 12.5 of the IL Clinical Social Work and Social Work Practice Act (225 ILCS 20/12.5). The reason for my request is based on my prior work, clinical supervision, and licensure history that I believe my application demonstrates are substantially equivalent to the IL requirements. I have been a Licensed Independent Clinical Social Worker (LICSW) in Massachusetts for over 7 years. This is the most advanced level of clinical social work licensure in Massachusetts. Massachusetts granted me license reciprocity from Minnesota as I had met all of the clinical social work experience and supervision requirements for the LICSW. (Minnesota has a somewhat different licensure path from MA and IL; the Advanced Exam was required at the time I was licensed in MN as an LISW.) I have enclosed both the Massachusetts and Minnesota laws from the time I obtained licenses in those states. Though the IL application for endorsement of license nor longer requires submission of my work history (VE-WH) I have submitted it to demonstrate my work history. Furthermore, though I demonstrated all the necessary clinical supervision required to be an LICSW in Massachusetts prior to obtaining that license in 1998, the VE-SW form enclosed also shows additional clinical supervision received subsequently during my last employment in Massachusetts.

Thank you for your consideration of my application for endorsement of Clinical Social Worker. Please contact me if you need additional information.

Sincerely,

[REDACTED]

[REDACTED]

Susan M. Schmitt

[REDACTED]

The Board of Registration of Social Workers

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Commonwealth of Massachusetts

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- Check a License
- Licensee Survey
- E-mail the Board

How do I become a Licensed Independent Clinical Social Worker (LICSW)? ✓

How do I become a Licensed Clinical Social Worker(LCSW)?

How do I become a Licensed Social Worker (LSW)?

How do I become a Licensed Social Worker Assistant(LSWA)?

Does Massachusetts have licensure by Reciprocity? ✓

Can I get my expired license renewed?

If my license has been expired for more than one year can I renew?

Can I practice Independently if I have an LCSW?

How may Continuing Education Units (CEU'S)do I need to renew my license?

▲ ◀ ▶
TOP PREVIOUS NEXT

How do I become a Licensed Independent Clinical Social Worker (LICSW)?

You must have all of the following:

1. Masters or doctoral degree in social work (no other field may be accepted).
2. A current license as a Licensed Clinical Social Worker(LCSW).
3. A total of 5, 250 hours of work experience in clinical social work, under the supervision of someone who has a current LICSW license, or who is eligible for such a license.
4. At least 3,500 hours of this clinical social work experience must have been accumulated after receipt of the MSW degree.
5. A total of 150 hours of individual one- to- one supervision from someone who is currently licensed as an LICSW (or eligible for such a license), at a rate of 50 hours per year, or one hour for every 35 hours of work experience.

How do I become a Licensed Clinical Social Worker(LCSW)?

You must have a Masters degree in Social Work (No other field will be accepted).

▲ ◀ ▶
TOP PREVIOUS NEXT

How do I become a Licensed Social Worker (LSW) ?

You must have **one** of the following:

1. Bachelors degree in social work.
2. Bachelors degree in a field other than social work, plus 3,500 hours of work experience in the field of social work under the supervision of someone who has an MSW degree, plus at least 100 hours of individual one-to-one supervision meeting time(one for every 35 hours of work experience) with someone who has an MSW degree.
3. One and one half years of college, plus 8,750 hours of work experience in the field of social work under the supervision of someone who has an MSW degree, plus 250 hours of supervision meeting time(one hour for every 35 hours of work experience) with someone who has an MSW degree.
4. A high school diploma, plus 14,000 hours of work experience in the field of social work under the supervision of someone who has an MSW degree, plus 400 hours of supervision meeting time(one for every 35 hours of work experience) with someone who has an MSW degree.

▲ ◀ ▶
TOP PREVIOUS NEXT

How do I become a Licensed Social Worker Assistant (LSWA)?

You must have **one** of the following:

1. Bachelors degree in any field.
2. Associates degree in a human services filed.
3. At least 60 college credits in human service field, or 120 college credits in any field, or at least 1000 hours of training and educational programs in a human services field.

Does Massachusetts have licensure by Reciprocity?

In order to receive licensure by reciprocity you must meet the following requirements:

1. Possess a current(i.e. not an expired) license in another state.
2. You must have taken an examination to obtain this license(and must provide the board with proof of a passing score on this examination).
3. A certified statement or letter from the state(s) you are licensed in.
4. Three(3) completed professional reference forms.
5. Official transcripts.
6. And a completed Reciprocity application with the appropriate fee.

▲ ◀ ▶
TOP PREVIOUS NEXT

Can I get my expired license renewed?

Yes, provided that the license has not been expired for more than one year from the date of expiration. You must have completed the necessary continuing education credits and submit the renewal application form and the renewal fee, with the \$25.00 late fee.

If my license has been expired for more than one year can I renew?

No, you must re-take and pass the examination for the license level your are seeking to re-obtain.

▲ ◀ ▶
TOP PREVIOUS NEXT

Can I practice Independently if I have an LCSW?

No, In order to practice independently, or as a self-employed individual, one must have an LICSW license. If one has an LCSW license, one may provide clinical services only as the employee of another individual, agency or institution. A person is an employee of another if the so-called employer has the right to control or direct the way in which the so-called employee does his or her work, and can fire him or her for failure to do what he or she is told to do.

▲ ◀ ▶
TOP PREVIOUS NEXT

How may Continuing Education Units (CEU'S)do I need to renew my license?

- LICSW must have 30 CEU's.
- LCSW must have 20 CEU's.
- LSW must have 10 CEU's.
- LSWA must have 5 CEU's.

All social worker licensees must complete at least 50% of their hours for continuing education in Category 1. The remaining hours can be in Categories II and III however 100 % of continuing education hours **may** be completed in category I.

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Division of Registration
100 Cambridge Street, Room 1520
Boston, Massachusetts 02202
Phone: (617)727-3074 Fax: (617)727-2197

Please send your technical questions or
comments about this web site to
REG.Webrmaster@State.ma.us

[Disclaimer](#)

Last modified 05/04/98

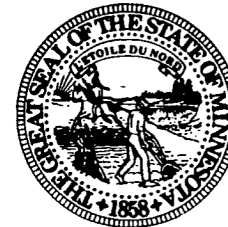
**MINNESOTA BOARD OF SOCIAL WORK
SOCIAL WORK PRACTICE ACT
CHAPTER 148B**

Extract from 1994 Minnesota Statutes
including amendments from 1995 Legislative Session

**PERMANENT RULES RELATED TO
SOCIAL WORK LICENSES
CHAPTER 8740**

Extract from Minnesota Rules 1995

Reprinted: December 1995



**Text Provided By
The Office of Revisor of Statutes
7th Floor, State Office Building, St. Paul, MN 55155**

REVISOR'S CERTIFICATE

I, Harry M. Walsh, am the revisor of statutes for the Minnesota Legislature. I am charged by law to edit and publish the compiled statutes for the State of Minnesota. This extract was prepared from the same copy used for Minnesota Statutes. It is a true copy of the statutes as they existed on the date of publication.



REVISOR OF STATUTES

CHAPTER 148B
SOCIAL WORK, MARRIAGE AND FAMILY THERAPY, AND MENTAL HEALTH

**BOARDS OF SOCIAL WORK
AND MARRIAGE AND FAMILY THERAPY**

- 148B.01 Definitions.
- 148B.03 Applicability.
- 148B.04 Disclosure.
- 148B.05 Right to practice.
- 148B.06 Tax clearance certificate.
- 148B.07 Reporting obligations.
- 148B.08 Immunity.
- 148B.09 Professional cooperation.
- 148B.10 Disciplinary record on judicial review.
- 148B.11 Professional accountability.
- 148B.12 Malpractice history.
- 148B.13 Publication of disciplinary actions.
- 148B.14 Evidence of past sexual conduct.
- 148B.15 Dispute resolution.
- 148B.17 Fees.
- 148B.175 Complaints; investigation and hearing.

BOARD OF SOCIAL WORK

- 148B.18 Definitions.
- 148B.19 Board of social work.
- 148B.20 Duties of the board.
- 148B.21 Requirements for licensure.
- 148B.215 Contested case hearing.
- 148B.22 License renewal requirements.
- 148B.23 Licenses; transition period.
- 148B.24 Reciprocity.
- 148B.25 Nontransferability of licenses.
- 148B.26 Denial, suspension, or revocation of license.
- 148B.27 Prohibition against unlicensed practice or use of titles; penalty.
- 148B.28 Exceptions to license requirement.

**BOARDS OF SOCIAL WORK
AND MARRIAGE AND FAMILY THERAPY**

148B.01 DEFINITIONS.

Subdivision 1. **Terms.** For the purposes of this chapter, the following terms have the meanings given.

Subd. 2. Repealed, 1991 c 292 art 2 s 75

Subd. 3. **Board of social work.** "Board of social work" means the board of social work established in section 148B.19.

Subd. 4. **Board of marriage and family therapy.** "Board of marriage and family therapy" means the board of marriage and family therapy established in section 148B.30.

Subd. 5. Repealed, 1991 c 292 art 2 s 75

Subd. 6. Repealed, 1991 c 292 art 2 s 75

Subd. 7. **Licensee.** "Licensee" means a person licensed by the board of social work or the board of marriage and family therapy.

HIST: 1987 c 347 art 1 s 1; 1991 c 292 art 2 s 33

148B.02 Repealed, 1991 c 292 art 2 s 75

148B.03 APPLICABILITY.

Sections 148B.04 to 148B.17 apply to the board of social work and the board of marriage and family therapy, and the licensees within their respective jurisdictions, unless superseded by an inconsistent law that relates specifically to a particular board.

HIST: 1987 c 347 art 1 s 3; 1991 c 292 art 2 s 34

148B.04 DISCLOSURE.

Subdivision 1. Repealed, 1988 c 689 art 2 s 269

Subd. 2. **Contested case proceedings.** Upon application of a party in a contested case proceeding before a board, the board shall produce and permit the inspection and copying, by or on behalf of the moving party, of any designated documents or papers relevant to the proceedings, in accordance with rule 34, Minnesota rules of civil procedure.

Subd. 3. **Information on disciplinary actions.** If a board imposes disciplinary measures or takes disciplinary action of any kind, the name and business address of the licensee, the nature of the misconduct, and the action taken by the board, including all settlement agreements and other board orders, are public data.

Subd. 4. **Exchange of information.** The boards shall exchange information with other boards, agencies, or departments within the state, as required under section 214.10, subdivision 8, paragraph (d).

Subd. 5. **Information to the complainant.** The board shall furnish to a person who made a complaint a statement of the result of an investigation of the complaint and a description of the activities and actions of the board relating to the complaint.

Subd. 6. **Classification of certain residence addresses and telephone numbers.** Notwithstanding section 13.41, subdivision 2 or 4, the residence address and telephone number of an applicant or licensee are private data on individuals as defined in section 13.02, subdivision 12, if the applicant or licensee so requests and provides an alternative address and telephone number.

HIST: 1987 c 347 art 1 s 4; 1991 c 292 art 2 s 35,36; 1992 c 460 s 1,2; 1993 c 240 s 2; 1994 c 618 art 1 s 23

148B.05 RIGHT TO PRACTICE.

Subdivision 1. **Disciplinary action by a board.** A suspension, revocation, condition, limitation, qualification, or restriction of an individual's license or right to practice is in effect pending determination of an appeal unless the court, upon petition and for good cause shown, orders otherwise.

Subd. 2. Repealed, 1992 c 460 s 20

HIST: 1987 c 347 art 1 s 5; 1989 c 209 art 2 s 1; 1991 c 292 art 2 s 37; 1992 c 460 s 3

148B.06 TAX CLEARANCE CERTIFICATE.

Subdivision 1. **Certificate required.** A board may not issue or renew a license if the commissioner of revenue notifies the board and the licensee or applicant for a license that the licensee or applicant owes the state delinquent taxes in the amount of \$500 or more. A board may issue or renew a license or filing only if the commissioner of revenue issues a tax clearance certificate and the commissioner of revenue or the licensee or applicant forwards a copy of the clearance to the board. The commissioner of revenue may issue a clearance certificate only if the licensee or applicant does not owe the state any uncontested delinquent taxes. For purposes of this section, "taxes" means all taxes payable to the commissioner of revenue, including penalties and interest due on those taxes. "Delinquent taxes" do not include a tax liability if (i) an administrative or court action that contests the amount or validity of the liability has been filed or served, (ii) the appeal period to contest the tax liability has not expired, or (iii) the licensee or applicant has entered into a payment agreement to pay the liability and is current with the payments.

Subd. 2. **Hearing.** In lieu of the notice and hearing requirements of section 148B.175, when a licensee or applicant is required to obtain a clearance certificate under this subdivision, a contested case hearing must be held if the licensee or applicant requests a hearing in writing to the commissioner of revenue within 30 days of the date of the notice required in subdivision 1. The hearing must be held within 45 days of the date the commissioner of revenue refers the case to the office of administrative hearings. Notwithstanding any other law, the licensee or applicant must be served with 20 days' notice in writing specifying the time and place of the hearing and the allegations against the licensee or applicant. The notice may be served personally or by mail.

Subd. 3. **Information required.** The boards shall require all licensees or applicants to provide their social security number and Minnesota business identification number on all license applications. Upon request of the commissioner of revenue, the board of social work and the board of marriage and family therapy must provide to the commissioner of revenue a list of all licensees and applicants, including the name and

address, social security number, and business identification number. The commissioner of revenue may request a list of the licensees and applicants no more than once each calendar year. HIST: 1987 c 347 art 1 s 6; 1989 c 184 art 2 s 5; 1991 c 292 art 2 s 38,39,74; 1993 c 13 art 2 s 6

148B.07 REPORTING OBLIGATIONS.

Subdivision 1. **Permission to report.** A person who has knowledge of any conduct constituting grounds for disciplinary action relating to licensure or unlicensed practice under this chapter may report the violation to the appropriate board.

Subd. 2. **Institutions.** A state agency, political subdivision, agency of a local unit of government, private agency, hospital, clinic, prepaid medical plan, or other health care institution or organization located in this state shall report to the appropriate board any action taken by the agency, institution, or organization or any of its administrators or medical or other committees to revoke, suspend, restrict, or condition a licensee's privilege to practice or treat patients or clients in the institution, or as part of the organization, any denial of privileges, or any other disciplinary action for conduct that might constitute grounds for disciplinary action by a board under this chapter. The institution or organization shall also report the resignation of any licensees prior to the conclusion of any disciplinary action proceeding for conduct that might constitute grounds for disciplinary action under this chapter, or prior to the commencement of formal charges but after the licensee had knowledge that formal charges were contemplated or in preparation.

Subd. 3. **Professional societies or associations.** A state or local professional society or association for licensees shall forward to the appropriate board any complaint received concerning the ethics or conduct of the practice which the board regulates. The society or association shall forward a complaint to the appropriate board upon receipt of the complaint. The society or association shall also report to the appropriate board any disciplinary action taken against a member.

Subd. 4. **Licensed professionals.** A licensed health professional shall report to the appropriate board personal knowledge of any conduct that the licensed health professional reasonably believes constitutes grounds for disciplinary action under this chapter by any licensee, including conduct indicating that the licensee may be medically incompetent, or may be medically or physically unable to engage safely in the provision of services. If the information was obtained in the course of a client relationship, the client is another licensee, and the treating individual successfully counsels the other individual to limit or withdraw from practice to the extent required by the impairment, the board may deem this limitation of or withdrawal

from practice to be sufficient disciplinary action.

Subd. 5. **Insurers.** Four times each year as prescribed by a board, each insurer authorized to sell insurance described in section 60A.06, subdivision 1, clause (13), and providing professional liability insurance to licensees, or the medical joint underwriting association under chapter 62F, shall submit to the appropriate board a report concerning the licensees against whom malpractice settlements or awards have been made to the plaintiff. The report must contain at least the following information:

- (1) the total number of malpractice settlements or awards made;
- (2) the date the malpractice settlements or awards were made;
- (3) the allegations contained in the claim or complaint leading to the settlements or awards made;
- (4) the dollar amount of each malpractice settlement or award;
- (5) the regular address of the practice of the licensee against whom an award was made or with whom a settlement was made; and
- (6) the name of the licensee against whom an award was made or with whom a settlement was made.

The insurance company shall, in addition to the above information, report to the board any information it possesses that tends to substantiate a charge that a licensee may have engaged in conduct violating this chapter.

Subd. 6. **Courts.** The court administrator of district court or any other court of competent jurisdiction shall report to the board any judgment or other determination of the court that adjudges or includes a finding that a licensee is mentally ill, mentally incompetent, guilty of a felony, guilty of a violation of federal or state narcotics laws or controlled substances act, or guilty of an abuse or fraud under Medicare or Medicaid; or that appoints a guardian of the licensee pursuant to sections 525.54 to 525.61 or commits a licensee pursuant to chapter 253B.

Subd. 7. **Self-reporting.** A licensee shall report to the appropriate board or to the office of mental health practice any personal action that would require that a report be filed by any person, health care facility, business, or organization pursuant to subdivisions 2 to 6.

Subd. 8. **Deadlines; forms.** Reports required by subdivisions 2 to 7 must be submitted not later than 30 days after the occurrence of the reportable event or transaction. The boards and the office of mental health practice may provide forms for the submission of reports required by this section, may require that reports be submitted on the forms provided, and may adopt rules necessary to assure prompt and accurate reporting.

Subd. 9. **Subpoenas.** The boards and the office of mental health practice may issue subpoenas for the production of any reports required by subdivisions 2 to 7 or any related documents.

HIST: 1987 c 347 art 1 s 7; 1991 c 292 art 2 s 40; 1992 c 460 s 4; 1Sp1994 c 1 art 2 s 12

148B.08 IMMUNITY.

Subdivision 1. **Reporting.** Any person, health care facility, business, or organization is immune from civil liability or criminal prosecution for submitting in good faith a report under section 148B.07 or for otherwise reporting violations or alleged violations of this chapter. The reports are classified under section 13.41.

Subd. 2. **Investigation.** Members of the boards of social work and marriage and family therapy and persons employed by the boards or engaged in the investigation of violations and in the preparation and management of charges of violations of this chapter on behalf of the boards, are immune from civil liability and criminal prosecution for any actions, transactions, or publications in the execution of, or relating to, their duties under this chapter.

HIST: 1987 c 347 art 1 s 8; 1991 c 292 art 2 s 41; 1992 c 460 s 5; 1993 c 240 s 3

148B.09 PROFESSIONAL COOPERATION.

A licensee who is the subject of an investigation by or on behalf of a board shall cooperate fully with the investigation. Cooperation includes responding fully and promptly to any question raised by or on behalf of the board relating to the subject of the investigation and providing copies of client records, as reasonably requested by the board, to assist the board in its investigation. The board shall pay for copies requested. If the board does not have a written consent from a client permitting access to the client's records, the licensee shall delete any data in the record that identifies the client before providing it to the board. The board shall maintain any records obtained pursuant to this section as investigative data pursuant to chapter 13.

HIST: 1987 c 347 art 1 s 9; 1991 c 292 art 2 s 74

148B.10 DISCIPLINARY RECORD ON JUDICIAL REVIEW.

Upon judicial review of any board disciplinary or adverse action taken under this chapter, the reviewing court shall seal the administrative record, except for the board's final decision, and shall not make the administrative record available to the public.

HIST: 1987 c 347 art 1 s 10

148B.11 PROFESSIONAL ACCOUNTABILITY.

Subdivision 1. **Investigation.** Each board shall maintain and keep current a file containing the reports and complaints filed against licensees within the board's jurisdiction. Each complaint filed with a board pursuant to section 214.10, subdivision 1, must be investigated according to section 214.10, subdivision 2. If the files maintained by a board show that a malpractice settlement or award to the plaintiff has been made against a licensee as reported by insurers under section 148B.07, the executive director of the board shall notify the board and the board may authorize a review of the provider's practice.

Subd. 2. **Attorney general investigates.** When a board initiates a review of a licensee's practice it shall notify the attorney general who shall investigate the matter in the same manner as provided in section 214.10. If an investigation is to be made, the attorney general shall notify the licensee, and, if the incident being investigated occurred there, the administrator and chief of staff at the health care facilities or clinics in which the professional serves, if applicable.

Subd. 3. **Access to records.** The board shall be allowed access to records of a client treated by the licensee under review if the client signs a written consent permitting access. If no consent form has been signed, the hospital, clinic, or licensee shall first delete data in the record that identifies the client before providing it to the board.

HIST: 1987 c 347 art 1 s 11; 1992 c 292 art 2 s 74

148B.12 MALPRACTICE HISTORY.

Subdivision 1. **Submission.** Licensees or applicants for licensure who have previously practiced in another state shall submit with their application the following information:

- (1) number, date, and disposition of any malpractice settlement or award made relating to the quality of services provided by the licensee or applicant; and
- (2) number, date, and disposition of any civil litigations or arbitrations relating to the quality of services provided by the licensee or applicant in which the party complaining against the licensee or applicant prevailed or otherwise received a favorable decision or order.

Subd. 2. **Board action.** The board shall give due consideration to the information submitted under this section. A licensee or applicant for licensure who willfully submits incorrect information is subject to disciplinary action under this chapter.

HIST: 1987 c 347 art 1 s 12; 1991 c 292 art 2 s 42

148B.13 PUBLICATION OF DISCIPLINARY ACTIONS.

At least annually, each board shall publish and release to the public a description of all disciplinary measures or actions

taken by the board. The publication must include, for each disciplinary measure or action taken, the name and business address of the licensee, the nature of the misconduct, and the measure or action taken by the board.

HIST: 1987 c 347 art 1 s 13; 1991 c 292 art 2 s 43

148B.14 EVIDENCE OF PAST SEXUAL CONDUCT.

In a proceeding for the suspension or revocation of the right to practice or other disciplinary or adverse action involving sexual contact with a client or former client, the board or administrative law judge shall not consider evidence of the client's previous sexual conduct nor shall any reference to this conduct be made during the proceedings or in the findings, except by motion of the complainant, unless the evidence would be admissible under the applicable provisions of section 609.347, subdivision 3.

HIST: 1987 c 347 art 1 s 14

148B.15 DISPUTE RESOLUTION.

Subdivision 1. **Arbitration.** Each board shall encourage licensees to submit all fee disputes with clients to binding arbitration.

Subd. 2. **Mediation.** Each board shall encourage licensees to submit all disputes with clients that are not related to violations of a code of professional conduct to voluntary mediation.

HIST: 1987 c 347 art 1 s 15; 1992 c 292 art 2 s 74; 1992 c 460 s 6

148B.16 Repealed, 1991 c 292 art 2 s 75

148B.17 FEES.

Each board shall by rule establish fees, including late fees, for licenses and renewals so that the total fees collected by the board will as closely as possible equal anticipated expenditures during the fiscal biennium, as provided in section 16A.128. Fees must be credited to accounts in the special revenue fund.

HIST: 1987 c 347 art 1 s 17; 1989 c 335 art 4 s 61; 1991 c 292 art 2 s 44

148B.171 Repealed, 1991 c 292 art 2 s 75

148B.175 COMPLAINTS; INVESTIGATION AND HEARING.

Subdivision 1. **Discovery; subpoenas.** In all matters relating to its lawful regulatory activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to appear to testify regarding any matter about which the person

may be lawfully questioned or failing to produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board to do so may, upon application to the district court in any district, be ordered to comply with the subpoena or order. Any board member may administer oaths to witnesses or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon a person it names anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions in the same manner as prescribed by law for service of process issued out of the district court of this state.

Subd. 2. **Classification of data.** The board shall maintain any records, other than client records, obtained as part of an investigation, as investigative data under section 13.41. Client records are classified as private under chapter 13, and must be protected as such in the records of the board and in administrative or judicial proceeding unless the client authorizes the board in writing to make public the identity of the client or a portion or all of the client's records.

Subd. 3. **Examination.** If a board has probable cause to believe that an applicant or licensee has engaged in conduct prohibited by section 214.10, or statute or rule enforced by the board, it may issue an order directing the applicant or licensee to submit to a mental or physical examination or chemical dependency evaluation. For the purpose of this section, every applicant or licensee is considered to have consented to submit to a mental or physical examination or chemical dependency evaluation when ordered to do so in writing by the board and to have waived all objections to the admissibility of the examiner's or evaluator's testimony or reports on the grounds that the testimony or reports constitute a privileged communication.

Subd. 4. **Failure to submit to an examination.** Failure to submit to an examination or evaluation when ordered, unless the failure was due to circumstances beyond the control of the applicant or licensee, constitutes an admission that the applicant or licensee violated section 214.10, or statute or rule enforced by the board, based on the factual specifications in the examination or evaluation order, and may result in an application being denied or a default and final disciplinary order being entered after a contested case hearing. The only issues to be determined at the hearing are whether the designated board member had probable cause to issue the examination or evaluation order and whether the failure to submit was due to circumstances beyond the control of the applicant or licensee. Neither the record of a proceeding under this subdivision nor the orders entered by the board are

admissible, subject to subpoena, or to be used against the applicant or licensee in a proceeding in which the board is not a party or decision maker. Information obtained under this subdivision is classified as private under chapter 13 and the orders issued by a board as the result of an applicant or licensee to submit to an examination or evaluation are classified as public.

Subd. 5. **Access to data and records.** In addition to ordering a physical or mental examination or chemical dependency evaluation and notwithstanding section 13.42, 144.651, 595.02, or any other law limiting access to medical or other health records, a board may obtain data and health records relating to an applicant or licensee without the applicant's or licensee's consent if the board has probable cause to believe that an applicant or licensee has engaged in conduct prohibited by section 214.10, or statute or rule enforced by the board. An applicant, licensee, insurance company, health care facility, provider as defined in section 144.335, subdivision 1, paragraph (b), or government agency shall comply with any written request of the board under this subdivision and is not liable in any action for damages for releasing the data requested by the board if the data are released in accordance with a written request made under this subdivision, unless the information is false and the person or entity giving the information knew or had reason to know that the information was false. Information on individuals obtained under this section is investigative data under section 13.41.

Subd. 6. **Forms of disciplinary action.** When grounds for disciplinary action exist under section 214.10, or statute or rule enforced by the board, it may take one or more of the following disciplinary actions:

- (1) deny the right to practice;
- (2) revoke the right to practice;
- (3) suspend the right to practice;
- (4) impose limitations on the practice of the licensee;
- (5) impose conditions on the practice of the licensee;
- (6) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the licensee of any economic advantage gained by reason of the violation charged, or to discourage repeated violations;
- (7) impose a fee to reimburse the board for all or part of the cost of the proceedings resulting in disciplinary action including, but not limited to, the amount paid by the board for services from the office of administrative hearings, attorney fees, court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and expense incurred by board members and staff;
- (8) censure or reprimand the licensee; or
- (9) take any other action justified by the facts of the

case.

Subd. 7. **Temporary suspension.** In addition to any other remedy provided by law, the board may, acting through its designated board member and without a hearing, temporarily suspend the right of a licensee to practice if the board member finds that the licensee has violated a statute or rule that the board is empowered to enforce and that continued practice by the licensee would create a serious risk of harm to others. The suspension is in effect upon service of a written order on the licensee specifying the statute or rule violated. The order remains in effect until the board issues a final order in the matter after a hearing or upon agreement between the board and the licensee. Service of the order is effective if the order is served on the licensee or counsel of record personally or by first class mail to the most recent address provided to the board for the licensee or the counsel of record. Within ten days of service of the order, the board shall hold a hearing before its own members on the sole issue of whether there is a reasonable basis to continue, modify, or lift the suspension. Evidence presented by the board or licensee may be in affidavit form only. The licensee or the counsel of record may appear for oral argument. Within five working days after the hearing, the board shall issue its order and, if the suspension is continued, schedule a contested case hearing within 45 days after issuance of the order. The administrative law judge shall issue a report within 30 days after closing of the contested case hearing record. The board shall issue a final order within 30 days after receipt of that report.

Subd. 8. **Automatic suspension; restoration.** The right to practice is automatically suspended if (1) a guardian of a licensee is appointed by order of a court under sections 525.54 to 525.61, or (2) the licensee is committed by order of a court pursuant to chapter 253B. The right to practice remains suspended until the licensee is restored to capacity by a court and, upon petition by the licensee, the suspension is terminated by the board after a hearing or upon agreement between the board and the licensee. In its discretion, a board may restore and reissue permission to provide services, but as a condition of the permission may impose a disciplinary or corrective measure that it might originally have imposed.

Subd. 9. **Additional remedies.** The board may in its own name issue a cease and desist order to stop a person from engaging in an unauthorized practice or violating or threatening to violate a statute, rule, or order which the board has issued or is empowered to enforce. The cease and desist order must state the reason for its issuance and give notice of the person's right to request a hearing under sections 14.57 to 14.62. If, within 15 days of service of the order, the subject of the order fails to request a hearing in writing, the order is the final order of the board and is not reviewable by a court or

agency.

A hearing must be initiated by the board not later than 30 days from the date of the board's receipt of a written hearing request. Within 30 days of receipt of the administrative law judge's report, the board shall issue a final order modifying, vacating, or making permanent the cease and desist order as the facts require. The final order remains in effect until modified or vacated by the board.

When a request for a stay accompanies a timely hearing request, the board may, in its discretion, grant the stay. If the board does not grant a requested stay, it shall refer the request to the office of administrative hearings within three working days of receipt of the request. Within ten days after receiving the request from the board, an administrative law judge shall issue a recommendation to grant or deny the stay. The board shall grant or deny the stay within five days of receiving the administrative law judge's recommendation.

In the event of noncompliance with a cease and desist order, the board may institute a proceeding in Ramsey county district court to obtain injunctive relief or other appropriate relief, including a civil penalty payable to the board not exceeding \$10,000 for each separate violation.

Subd. 10. **Injunctive relief.** In addition to any other remedy provided by law, including the issuance of a cease and desist order under subdivision 1, a board may in its own name bring an action in Ramsey county district court for injunctive relief to restrain any unauthorized practice or violation or threatened violation of any statute, rule, or order which the board is empowered to regulate, enforce, or issue. A temporary restraining order must be granted in the proceeding if continued activity by a licensee would create a serious risk of harm to others. The board need not show irreparable harm.

Subd. 11. **Additional powers.** The issuance of a cease and desist order or injunctive relief granted under this section does not relieve a licensee from criminal prosecution by a competent authority or from disciplinary action by the board. Nothing in this section limits the board's authority to seek injunctive relief under section 214.11.

HIST: 1991 c 292 art 2 s 45; 1992 c 460 s 7-10; 1Sp1994 c 1 art 2 s 13

BOARD OF SOCIAL WORK

148B.18 DEFINITIONS.

Subdivision 1. **Applicability.** For the purposes of sections 148B.18 to 148B.28, the following terms have the meanings given them.

Subd. 2. **Accredited program of social work.** "Accredited program of social work" means a school of social work or other educational program that has been accredited by

the council on social work education.

Subd. 3. **Board.** "Board" means the board of social work created in section 148B.19.

Subd. 4. **County agency social worker.** "County agency social worker" means an individual who is employed by a county social service agency in Minnesota in social work practice or clinical social work.

Subd. 5. **State agency social worker.** "State agency social worker" means an individual who is employed by a state social service agency in Minnesota in social work practice or clinical social work.

Subd. 6. **Public agency social worker.** "Public agency social worker" means an individual who is employed by the federal government or the state of Minnesota or any of its political subdivisions in social work practice or clinical social work.

Subd. 7. **Private agency social worker.** "Private agency social worker" means an individual who is employed by an entity not listed in subdivision 6 in the practice of social work or clinical social work.

Subd. 8. **Private practice.** "Private practice" means social work practice conducted by a licensee practicing within the permissible scope of a license, as defined in subdivision 11, and under appropriate supervision, as defined in subdivisions 11 and 12, who is either self-employed, or a member of a partnership or of a group practice, rather than being employed by an agency, clinic, or other similar entity.

Subd. 9. **Psychotherapy.** "Psychotherapy" in clinical social work practice means the application of social work theory, methodology, and values in the treatment of a person or persons who have cognitive, emotional, behavioral, or social dysfunctions through psychosocial, psychological, or interpersonal methods. The treatment is a planned and structured program which is based on information from a differential diagnostic assessment, and is directed toward the accomplishment of goals provided in a plan of care. The person-in-situation/environment configuration is considered and integrated into the diagnosis and treatment. Psychotherapy may be conducted by licensed independent clinical social workers and by licensed graduate or licensed independent social workers who practice under the supervision of either a licensed independent clinical social worker or, if approved by the board, by another qualified mental health professional.

Subd. 10. **Qualified mental health professional.** "Qualified mental health professional" means a psychiatrist, board-certified or eligible for board certification, and licensed under chapter 147; a psychologist licensed under sections 148.88 to 148.98; an independent clinical social worker who has the qualifications in section 148B.21, subdivision 6; a psychiatric registered nurse with a master's degree from an

accredited school of nursing, licensed under section 148.211, with at least two years of post-master's supervised experience in direct clinical practice; a marriage and family therapist who is licensed under sections 148B.29 to 148B.39; or an equivalent mental health professional, as determined by the board, who is licensed or certified by a board or agency in another state or territory.

Subd. 11. **Social work practice.** "Social work practice" includes the application of psychosocial theory and methods in the prevention, treatment, or resolution of social and/or psychological dysfunction caused by environmental stress, interpersonal or intrapersonal conflict, physical or mental disorders, or a combination of these causes, with particular attention to the person-in-situation configuration.

Social work practice also includes but is not limited to psychotherapy, which is restricted to social workers qualified to practice psychotherapy as defined in subdivision 9. For the following four categories of licensure, social work practice also includes the following action:

(a) Licensed social workers evaluate and assess difficulties in psychosocial functioning, develop a treatment plan to alleviate those difficulties, and either carry it out themselves or refer clients to other qualified resources for assistance. Treatment interventions commonly include but are not limited to psychosocial evaluation; counseling of individuals, families, and groups; advocacy; referral to community resources; and facilitation of organizational change to meet social needs.

(b) Licensed graduate social workers and licensed independent social workers evaluate and treat more complex problems in psychosocial functioning. Treatment interventions include but are not limited to psychosocial evaluation; counseling of individuals, families, and groups; referral to community resources; advocacy; facilitation of organizational change to meet social needs; and psychotherapy when conducted under supervision as defined in subdivision 12.

(c) Licensed independent clinical social workers provide professional services for the diagnosis, treatment, and prevention of mental and emotional disorders in individuals, families, and groups, with the goal of restoring, maintaining, and enhancing social functioning. Treatment interventions include, but are not limited to, those listed for licensed graduate and licensed independent social workers plus individual, marital, and group psychotherapy without supervision. Independent clinical social work practice may be conducted by independent clinical social workers in private independent practice or in the employ of a public or private agency or corporation or other legal entity.

Social work practice is not medical care nor any other type of remedial care that may be reimbursed under medical

assistance, chapter 256B, except to the extent such care is reimbursed under section 256B.0625, subdivision 5, or as provided under Minnesota Rules, parts 9500.1070, 9500.1020, or their successor parts.

Subd. 12. **Supervision.** "Supervision" means the direction of social work practice in face-to-face sessions. Further standards for supervision shall be determined by the board of social work. Supervision shall be provided:

(1) by a social worker licensed at least at the level of the worker being supervised and qualified under section 148B.21 to practice without supervision, except that a licensed graduate social worker may supervise a licensed social worker; or

(2) by another qualified professional or qualified mental health professional when the board of social work determines that supervision by a social worker as required in clause (1) is unobtainable, or in other situations considered appropriate by the board of social work.

HIST: 1987 c 347 art 2 s 1; 1988 c 689 art 2 s 268; 1991 c 292 art 2 s 46; 1992 c 460 s 11,12,21; 1993 c 240 s 4,5

148B.19 BOARD OF SOCIAL WORK.

Subdivision 1. **Creation.** The board of social work is created. The board consists of 11 members appointed by the governor. The members are:

(1) eight social workers licensed under sections 148B.18 to 148B.28; and

(2) three public members as defined in section 214.02.

Subd. 2. **Qualifications of board members.** The eight social worker members of the board shall be as follows: two licensed independent clinical social workers, two licensed independent social workers, and four licensed social workers.

Social worker members shall be engaged in the practice of social work in Minnesota in the following settings:

(1) one member shall be engaged in the practice of social work in a state agency;

(2) one member shall be engaged in the practice of social work in a county agency;

(3) two members shall be engaged in the practice of social work in a private agency;

(4) one member shall be engaged in the practice of social work in a private clinical social work setting;

(5) one member shall be an educator engaged in regular teaching duties at an accredited program of social work;

(6) one member shall be engaged in the practice of social work in an elementary, middle, or secondary school, as defined in section 120.05, and licensed by the board of teaching; and

(7) one member shall be employed in a hospital or nursing home licensed under chapter 144 or 144A.

In addition, at least three members shall be persons of color and at least four members shall reside outside of the

seven-county metropolitan area.

Subd. 3. **Members of first board appointed.** Members of the first board appointed according to subdivisions 1, clause (1), and 2, clauses (1) to (5), need not be licensed, but must meet all qualifications, other than payment of fees, to be eligible for licensure under sections 148B.18 to 148B.28.

Subd. 4. **Officers and executive secretary.** The board shall annually elect from its membership a chair, vice-chair, and secretary-treasurer, and shall adopt rules to govern its proceedings. The board shall appoint and employ an executive secretary who is not a member of the board.

Subd. 5. **Terms and salaries.** Chapter 214 applies to the board of social work unless superseded by sections 148B.18 to 148B.28.

HIST: 1987 c 347 art 2 s 2; 1992 c 460 s 21; 1993 c 240 s 6,7

148B.20 DUTIES OF THE BOARD.

Subdivision 1. **General.** The board of social work shall:

(a) Adopt and enforce rules for licensure of social workers and for regulation of their professional conduct. The rules must be designed to protect the public.

(b) Adopt rules establishing standards and methods of determining whether applicants and licensees are qualified under sections 148B.21 to 148B.23. The rules must make provision for examinations and must establish standards for professional conduct, including adoption of a code of professional ethics and requirements for continuing education.

(c) Hold examinations at least twice a year to assess applicants' knowledge and skills. The examinations may be written or oral and may be administered by the board or by a body designated by the board. Examinations must test the knowledge and skills of each of the four groups of social workers qualified under section 148B.21 to practice social work. Examinations must minimize cultural bias and must be balanced in theory.

(d) Issue licenses to individuals qualified under sections 148B.18 to 148B.28.

(e) Issue copies of the rules for licensure to all applicants.

(f) Establish and implement procedures, including a standard disciplinary process, to ensure that individuals licensed as social workers will comply with the board's rules.

(g) Establish, maintain, and publish annually a register of current licensees.

(h) Establish initial and renewal application and examination fees sufficient to cover operating expenses of the board and its agents.

(i) Educate the public about the existence and content of

the rules for social work licensing to enable consumers to file complaints against licensees who may have violated the rules.

(j) Evaluate its rules in order to refine the standards for licensing social workers and to improve the methods used to enforce the board's standards.

Subd. 2. Repealed, 1993 c 337 s 20

HIST: 1987 c 347 art 2 s 3; 1992 c 460 s 21

148B.21 REQUIREMENTS FOR LICENSURE.

Subdivision 1. **Categories of licensees.** The board shall issue licenses for the following four groups of individuals qualified under sections 148B.21 to 148B.23 to practice social work:

(1) social workers;

(2) graduate social workers;

(3) independent social workers; and

(4) independent clinical social workers.

Subd. 2. **Fee.** Each applicant shall pay a nonrefundable fee set by the board. Fees paid to the board shall be deposited in the state government special revenue fund.

Subd. 3. **Social worker.** To be licensed as a social worker, an applicant must provide evidence satisfactory to the board that the applicant:

(1) has received a baccalaureate degree from an accredited program of social work;

(2) has passed the examination provided for in section 148B.20, subdivision 1;

(3) will engage in social work practice only under supervision as defined in section 148B.18, subdivision 12, for at least two years in full-time employment or 4,000 hours of part-time employment;

(4) will conduct all professional activities as a social worker in accordance with standards for professional conduct established by the rules of the board; and

(5) has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board.

Subd. 4. **Graduate social worker.** To be licensed as a graduate social worker, an applicant must provide evidence satisfactory to the board that the applicant:

(1) has received a master's degree from an accredited program of social work or doctoral degree in social work;

(2) has passed the examination provided for in section 148B.20, subdivision 1;

(3) will engage in social work practice only under supervision as defined in section 148B.18, subdivision 12;

(4) will conduct all professional activities as a graduate

social worker in accordance with standards for professional conduct established by the rules of the board; and

(5) has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board.

Subd. 5. **Independent social worker.** To be licensed as an independent social worker, an applicant must provide evidence satisfactory to the board that the applicant:

(1) has received a master's degree from an accredited program of social work or doctoral degree in social work;

(2) has passed the examination provided for in section 148B.20, subdivision 1;

(3) has practiced social work for at least two years in full-time employment or 4,000 hours of part-time employment under supervision as defined in section 148B.18, subdivision 12, after receiving the master's or doctoral degree in social work;

(4) will conduct all professional activities as an independent social worker in accordance with standards for professional conduct established by the rules of the board; and

(5) has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board.

Subd. 6. **Independent clinical social worker.** To be licensed as an independent clinical social worker, an applicant must provide evidence satisfactory to the board that the applicant:

(1) has received a master's degree from an accredited program of social work, or doctoral degree in social work, that included an advanced concentration of clinically oriented course work as defined by the board and a supervised clinical field placement at the graduate level, or post-master's clinical training that is found by the board to be equivalent to that course work and field placement;

(2) has practiced clinical social work for at least two years in full-time employment or ~~4,000~~ hours of part-time employment under supervision as defined in section 148B.18, subdivision 12, after receiving the master's or doctoral degree in social work;

(3) has passed the examination provided for in section 148B.20, subdivision 1;

(4) will conduct all professional activities as an independent clinical social worker in accordance with standards for professional conduct established by the rules of the board; and

(5) has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board.

Subd. 7. **Establishment of candidacy status.** (a) The board may issue a practice permit to an applicant in the following situations, provided the applicant meets all other requirements for licensure:

(1) the applicant has applied to take the first examination for licensure given by the board following either graduation or anticipated graduation from an accredited program of social work; or

(2) the applicant is licensed or certified to practice social work in Minnesota or another jurisdiction, meets the requirements in section 148B.24, is intending to establish a practice in Minnesota before being able to take the next examination for licensure given by the board, and has applied to take the same examination.

(b) The practice permit is valid until the board takes final action on the application, which shall occur within 60 days of the board's receipt of the applicant's examination results. The board, at its discretion, may extend the practice permit if the applicant fails to pass or take the examination. If the board determines that an extension of the practice permit is not warranted, the applicant must cease practicing social work immediately.

(c) An applicant who obtains a practice permit, and who has applied for a level of licensure which requires supervision upon licensure, may practice social work only under the supervision of a licensed social worker who is eligible to provide supervision under section 148B.18, subdivision 12. The applicant's supervisor must provide evidence to the board, before the applicant is approved by the board for licensure, that the applicant has practiced social work under supervision. This supervision will not apply toward the supervision requirement required after licensure.

Subd. 8. **Change of licensure level.** An applicant who applies under this section for licensure as a licensed independent social worker or a licensed independent clinical social worker, and who is licensed at the time of application as a licensed graduate social worker, licensed independent social worker, or a licensed independent clinical social worker under section 148B.23, is not required to meet the educational requirement of this section. The applicant must meet all other requirements for licensure at the new level of licensure.

Subd. 9. **Supervision requirement.** If supervised social work practice is required for licensure under this section, and if the applicant has not engaged in the practice of

social work during the five years preceding the applicant's application for licensure, then the board may grant a conditional license to the applicant that would require that the applicant obtain additional social work supervision or additional continuing education hours, or both, within a specified time period after licensure. The board shall establish rules to implement this section.

HIST: 1987 c 347 art 2 s 4; 1992 c 460 s 13-15; 1992 c 603 s 5; 1993 c 240 s 8-12

148B.215 CONTESTED CASE HEARING.

An applicant or a licensee who is the subject of an adverse action by the board may request a contested case hearing under chapter 14. An applicant or a licensee who desires to request a contested case hearing must submit a written request to the board within 90 days of receipt of notification of the adverse action, or within 90 days of August 1, 1992, whichever date occurs later.

HIST: 1992 c 460 s 16

148B.22 LICENSE RENEWAL REQUIREMENTS.

Subdivision 1. **Renewal.** Licensees shall renew licenses at the time and in the manner established by the rules of the board.

Subd. 2. **Continuing education.** At the time of renewal, each licensee shall provide evidence satisfactory to the board that the licensee has completed during each two-year period at least the equivalent of 30 clock hours of continuing professional postdegree education in programs approved by the board and continues to be qualified to practice under sections 148B.18 to 148B.28.

HIST: 1987 c 347 art 2 s 5; 1992 c 460 s 17

148B.23 LICENSES; TRANSITION PERIOD.

Subdivision 1. **Exemption from examination.** (a) For 12 months from July 1, 1995, the board shall issue a license without examination to an applicant who:

(1) has received a baccalaureate degree from an accredited program of social work or from a nationally or regionally accredited college or university;

(2) after receiving the degree, practiced social work, as defined by section 148B.18, subdivision 11, in a hospital or a nursing home licensed under chapters 144 and 144A at some time between July 1, 1984, and July 1, 1996; and

(3) meets the qualifications for the requested level of licensure in paragraph (b).

(b) In addition to the requirements in paragraph (a):

(1) for a licensed social worker license, the applicant need not meet further requirements;

(2) for a licensed graduate social worker license, the

applicant must have received a master's degree from an accredited program of social work or a master's or doctoral degree in a human service discipline related to social work, as approved by the board, from a nationally or regionally accredited college or university;

(3) for a licensed independent social worker license, the applicant must have received a master's degree from an accredited program of social work or a master's or doctoral degree in a human service discipline related to social work, as approved by the board, from a nationally or regionally accredited college or university; and, after receiving the degree, has practiced social work for at least two years in full-time employment or for 4,000 hours of part-time employment under the supervision of a social worker meeting these requirements, or of another qualified professional; and

(4) for a licensed independent clinical social worker license, the applicant must have received a master's degree from an accredited program of social work or a master's or doctoral degree in a human service discipline related to social work, as approved by the board, from a nationally or regionally accredited college or university; and, after receiving the degree, has practiced clinical social work for at least two years in full-time employment or for 4,000 hours of part-time employment under the supervision of a clinical social worker meeting these requirements, or of another qualified mental health professional.

Subd. 1a. **Extension of transition period allowed.** The board may issue a graduate social worker license without examination, after the transition period that ends June 30, 1989, to an applicant:

(1) who met the criteria in subdivision 1, clause (2), before the transition period ended; and

(2) who was unable to submit an application for licensure before the transition period ended because the person was in another country performing social work training to complete the requirements for a master's degree in social work.

Subd. 2. **Other requirements.** An applicant licensed under this section must also agree to:

(1) engage in social work practice only under the applicable supervision requirements provided in section 148B.21 for each category of licensees; however, the supervised social work experience which an applicant licensed as a licensed social worker must demonstrate under section 148B.21 may have been obtained before initial licensure; and

(2) conduct all professional activities as a social worker in accordance with standards for professional conduct established by the rules of the board.

Subd. 3. **Temporary rulemaking authority.** The board is authorized to adopt emergency and permanent rules to implement this section.

HIST: 1987 c 347 art 2 s 6; 1988 c 689 art 2 s 48; 1989 c 282 art 2 s 40; 1990 c 568 art 2 s 17; 1991 c 292 art 2 s 47; 1995 c 63 s 2,3

NOTE: Subdivision 1a is repealed by Laws 1995, chapter 63, section 9, effective July 1, 1996.

148B.24 RECIPROCITY.

The board shall issue an appropriate license to an individual who holds a current license or other credential from another jurisdiction if the board finds that the requirements for that credential are substantially similar to the requirements in sections 148B.21 to 148B.23.

HIST: 1987 c 347 art 2 s 7

148B.25 NONTRANSFERABILITY OF LICENSES.

A social work license is not transferable.

HIST: 1987 c 347 art 2 s 8

148B.26 DENIAL, SUSPENSION, OR REVOCATION OF LICENSE.

Subdivision 1. **Grounds.** The board may refuse to renew or to grant a license to, or may suspend, revoke, or restrict the license of an individual whom the board, after a hearing under the contested case provisions of chapter 14, determines:

(1) is incompetent to engage in social work practice, is found to be engaged in social work practice in a manner harmful or dangerous to a client or to the public, or is found to have engaged in unprofessional conduct, as established by statute, rule, or a consensus of expert social work opinion as reasonably necessary for the protection of the public interest;

(2) has violated the rules of the board, the statutes the board is empowered to enforce, or any other law that is related to the practice of social work;

(3) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation; or

(4) has knowingly made a false statement on a form required by the board for licensing or license renewal.

Subd. 2. **Restoring a license.** For reasons it finds sufficient, the board may grant a license previously refused, restore a license that has been revoked, or reduce a period of suspension or restriction of a license.

Subd. 3. **Review.** Suspension, revocation, or restriction of a license shall be reviewed by the board at the request of the licensee against whom the disciplinary action was taken.

HIST: 1987 c 347 art 2 s 9; 1993 c 240 s 13

148B.27 PROHIBITION AGAINST UNLICENSED PRACTICE OR USE OF TITLES; PENALTY.

Subdivision 1. **Practice.** After the board adopts

rules, no individual shall engage in social work practice unless that individual holds a valid license as a licensed social worker, licensed graduate social worker, licensed independent social worker, or licensed independent clinical social worker.

Subd. 2. **Use of titles.** After the board adopts rules, no individual shall be presented to the public by any title incorporating the words "social work" or "social worker" unless that individual holds a valid license issued under sections 148B.18 to 148B.28. City, county, and state agency social workers who are not licensed under sections 148B.18 to 148B.28 may use the title city agency social worker or county agency social worker or state agency social worker.

Subd. 2a. **Jurisdiction.** Nothing in sections 148B.60 to 148B.71 shall prohibit the board from taking disciplinary or other action that the board is authorized to take against either a licensee who is found to be practicing outside the scope of the license or a person who is found to be engaging in the unauthorized practice of social work.

Subd. 2b. **Use of hospital social worker title.** Individuals employed as social workers on June 30, 1996, by a hospital licensed under chapter 144 who do not qualify for licensure under section 148B.21 or 148B.23, subdivision 1, may use the title "hospital social worker" for as long as they continue to be employed by a hospital licensed under chapter 144.

Subd. 3. **Penalty.** A person who violates sections 148B.21 to 148B.28 is guilty of a misdemeanor.
HIST: 1987 c 347 art 2 s 10; 1989 c 282 art 2 s 41; 1993 c 240 s 14; 1994 c 465 art 2 s 1; 1995 c 63 s 4,5

148B.28 EXCEPTIONS TO LICENSE REQUIREMENT.

Subdivision 1. **Other professionals.** Nothing in sections 148B.18 to 148B.28 shall be construed to prevent members of other professions or occupations from performing functions for which they are qualified or licensed. This exception includes but is not limited to licensed physicians; registered nurses; licensed practical nurses; psychological practitioners; probation officers; members of the clergy; attorneys; marriage and family therapists; chemical dependency counselors; professional counselors; school counselors; and registered occupational therapists or certified occupational therapist assistants. These persons must not, however, hold themselves out to the public by any title or description stating or implying that they are engaged in the practice of social work, or that they are licensed to engage in the practice of social work.

Subd. 2. **Students.** An internship, externship, or any other social work experience that is required for the completion of an accredited program of social work does not constitute the practice of social work under this chapter.

Subd. 3. **Geographic waiver.** A geographic waiver may

be granted by the board on a case-by-case basis to agencies with special regional hiring problems. The waiver will permit agencies to hire individuals, who do not meet the qualifications of section 148B.21, to practice social work.

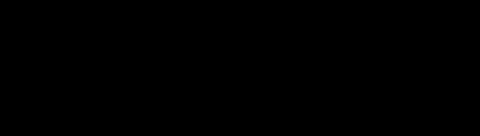
Subd. 4. **City, county, and state agency social workers.** The licensing of city, county, and state agency social workers shall be voluntary. City, county, and state agencies employing social workers shall not be required to employ licensed social workers, nor shall they require their social worker employees to be licensed.

Subd. 5. **Federally recognized tribes and private nonprofit agencies with a minority focus.** The licensure of social workers who are employed by federally recognized tribes, or by private nonprofit agencies whose primary service focus addresses ethnic minority populations, and are themselves members of ethnic minority populations within said agencies, shall be voluntary.

Subd. 6. **Hospital and nursing home social workers.** The licensure of social workers employed by hospitals and nursing homes licensed under chapters 144 and 144A shall be voluntary. Hospitals and nursing homes employing social workers shall not be required to employ licensed social workers, nor shall they require their social work employees to be licensed.
HIST: 1987 c 347 art 2 s 11; 1991 c 255 s 19; 1992 c 460 s 18; 1993 c 240 s 15

REVISOR'S CERTIFICATE

I, Harry M. Walsh, am the revisor of statutes for the Minnesota legislature. I am charged by law to compile, edit, and publish the administrative rules of the State of Minnesota. These rules were extracted from Minnesota Rules 1995. This is a true copy of the rules as they existed on September 5, 1995.



HARRY M. WALSH
REVISOR OF STATUTES

**CHAPTER 8740
BOARD OF SOCIAL WORK
SOCIAL WORKER LICENSES**

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8740.0100 PURPOSE.

Parts 8740.0100 to 8740.0310 protect the public by:

A. setting standards of qualifications, training, and experience for those who seek to represent themselves to the public as social workers; and

B. promoting high standards of professional performance for those engaged in the practice of social work.

Parts 8740.0110 to 8740.0310 contain procedures and guidelines for licensing and regulating social workers.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0110 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, unless the context otherwise requires, the following terms have the meanings given.

Subp. 2. **Advertising.** "Advertising" means a communication to a potential client about the availability, nature, or terms

of services within the scope of social work practice. Advertising includes business solicitations, with or without limiting qualifications, in a card, sign, or device issued to a person; in a sign or marking in or on a building; in a newspaper, magazine, or other print media; or via live or recorded electronic media.

Subp. 3. **Applicant.** "Applicant" means an individual seeking a license as a social worker, graduate social worker, independent social worker, or independent clinical social worker from the Board of Social Work.

Subp. 4. **Approval date.** "Approval date" means the date on which the board approves an applicant for licensure because that applicant meets the qualifications for licensure under Minnesota Statutes, section 148B.21 or 148B.23, except for payment of the fee.

Subp. 5. **Board.** "Board" means the Board of Social Work created in Minnesota Statutes, section 148B.19.

Subp. 6. **Clinical social work.** "Clinical social work" means social work that is consistent with the definition of social work practice for licensed independent clinical social workers under Minnesota Statutes, section 148B.18, subdivision 11, paragraph (c).

Subp. 7. **Continuing education.** "Continuing education" means 30 continuing education hours within the biennial licensure period. Continuing education is education obtained by a professional social worker licensee to maintain, improve, or expand skills and knowledge related to the practice of social work as defined in parts 8740.0100 to 8740.0310.

Subp. 8. **Council on Social Work Education.** "Council on Social Work Education" means the national accreditation body for social work education as recognized by the United States Department of Education and the National Commission on Accreditation.

Subp. 9. **Effective date.** "Effective date" means the date the applicant, after having paid the required fee, has been issued a number.

Subp. 10. **Emeritus.** "Emeritus" means retired from active practice but retaining one's license and title.

Subp. 11. **Examination.** "Examination" means a national examination that follows the uniform guidelines on employee selection procedures issued by the equal employment opportunity commission, civil service commission, and United States Department of Labor and Justice.

Subp. 12. **Examination application.** "Examination application" means the form supplied by the board, or the agency specified by the board, used in applying for the licensing examination.

Subp. 13. **Face-to-face supervision.** "Face-to-face supervision" means direct in-person supervision. Supervision via telephone or other live electronic media is acceptable

supervision if it is logged or recorded and does not account for more than one-quarter of the total number of hours required under part 8740.0130.

Subp. 14. **Group supervision.** "Group supervision" means two or more supervisees with one supervisor. Group supervision must not exceed eight hours of the supervisory time required under part 8740.0130.

Subp. 15. **Inactive status.** "Inactive status" means holding a valid inactive status license and not engaging in the practice of social work.

Subp. 16. **Independent social work.** "Independent social work" means social work that is consistent with the definition of social work practice for licensed independent social workers under Minnesota Statutes, section 148B.18, subdivision 11, paragraph (b).

Subp. 17. **Interdisciplinary supervision.** "Interdisciplinary supervision" means team intervention or collaboration, which includes members of different professions or disciplines. Interdisciplinary supervision must not exceed eight hours of the total supervisory time required under part 8740.0130.

Subp. 18. **Licensee.** "Licensee" means a person holding a license issued by the board.

Subp. 19. **Peer supervision.** "Peer supervision" means collegial supervision. Peer supervision must not exceed eight hours of the total supervisory time required under part 8740.0130.

Subp. 20. **Qualified professional.** "Qualified professional" means an individual who has the authority to direct the practice of the licensee, including but not limited to an agency director, a consulting supervisor, a school principal, or a nursing home administrator whom the board considers appropriate when a social work supervisor, as required, is unobtainable.

Subp. 21. **Supervisee.** "Supervisee" means an individual who is engaged in professional practice under the direction of a supervisor.

Subp. 22. **Supervisor.** "Supervisor" means a social worker who is licensed or was eligible for licensure during the transition period and under the emergency rules and who has the authority to direct the practice of the licensee. The supervisor must have completed the two years or 4,000 hours of supervised social work experience required under part 8740.0130 prior to providing supervision.

Subp. 23. **Supervisor's verification.** "Supervisor's verification" means a form supplied by the board attesting to the hours of supervision.

Subp. 24. **Transition period.** "Transition period" means the period of time from July 1, 1987, through June 30, 1989, during which a social worker applied for initial licensure by the board.

Subp. 25. **Variance.** "Variance" means board authorized permission to comply with a rule in a manner other than that generally specified in the rule.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0120 PROCEDURES FOR APPLICATION.

Subpart 1. **Information required.** A person seeking a license from the board must submit to the board the information and documents in items A to E.

A. An application completed, signed, and notarized on the forms provided by the board. The applicant must furnish all documentation requested on the application.

B. The required, nonrefundable fee as specified in part 8740.0290, payable to the Board of Social Work.

C. An official copy of the transcript, including verification of the degree granted required for the level of licensure being applied for. Transcripts should be sent directly to the board office from the institution granting the degree.

D. Where applicable, verification of two years or 4,000 hours of supervised experience in the practice of social work to be completed before the date of application. A supervisor's verification form shall be completed and signed by the supervisor and sent directly to the board office.

E. A form provided by the board signed by the applicant's supervisor that states that the requirements for supervision under part 8740.0130 have been met. If an applicant cannot provide a signed statement from the supervisor, the board may accept alternative verification of supervision. The burden of proof of the required supervision rests with the applicant.

Subp. 2. **Taking examination prior to graduation.** A person enrolled in an accredited program of social work who expects to graduate within six months after the date of an examination may take the examination before graduation if, prior to the exam date, the board receives from that person:

A. a letter from the department chair or advisor that the person is in good standing in an accredited program of social work;

B. verification of the expected graduation date; and

C. verification that the person is majoring in social work.

Subp. 3. **Verification; board authority.** An applicant, by submitting an application, authorizes the board to investigate or contact persons to verify information in the application. The board may request that the applicant provide additional verification or documentation to aid in the board's decision making.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0130 SUPERVISION REQUIREMENTS.

Subpart 1. **General.** An applicant for a license by the board must show that the applicant has the supervised experience required under the appropriate subpart 3 to 6. The supervised work experience required for a licensee at the licensed social worker (LSW) level under subpart 3 must be documented by the licensee's first biennial renewal. The continuing supervision required for a licensee at the licensed graduate social worker (LGSW) level under subpart 4 must be documented at each license renewal. The supervised work experience required for licensure at the licensed independent social worker (LISW) level under subpart 5 and at the licensed independent clinical social worker (LICSW) level under subpart 6 must be documented at the time of application for those levels.

Subp. 2. **Unobtainable supervision.** Supervision shall be determined to be unobtainable if the applicant or licensee provides evidence satisfactory to the board that the applicant or licensee has conducted a thorough search for the supervision required under this part and that the search was unsuccessful. The evidence must be in writing on a variance form supplied by the board.

Subp. 3. **Licensed social worker (LSW).** For a licensed social worker (LSW), supervision qualifying an applicant as a licensed social worker consists of face-to-face, group, peer, or interdisciplinary supervision sessions for a minimum of 50 hours of supervision during two years or 4,000 hours of social work practice. Supervision must be or have been provided by a licensed social worker or a social worker licensed at a higher level than the applicant. The applicant must provide verification of that supervision. If that supervision is found by the board to be unobtainable, the board may accept supervision from another qualified professional as defined under part 8740.0110, subpart 20. The burden of proof of the required supervision rests with the licensee. Experience required under this subpart does not include internships or volunteer work. The experience must have been obtained after the applicant received a bachelor's degree and must be supervised, paid, social work experience.

Subp. 4. **Licensed graduate social worker (LGSW).** For a licensed graduate social worker (LGSW), supervision qualifying an applicant as a licensed graduate social worker consists of face-to-face, group, peer, or interdisciplinary supervision sessions for a minimum of 50 hours at each two-year renewal. Supervision must be or have been provided by a licensed social worker at least at the level of the applicant or at a higher level than the applicant. The applicant must provide verification of supervision. If that supervision is found by the board to be unobtainable, the board may accept supervision from another qualified professional as defined under part 8740.0110, subpart 20. The burden of proof of the required

supervision rests with the licensee. Experience required under this subpart does not include internships or volunteer work. The experience must have been obtained after the applicant received a master's or doctorate degree and must be supervised, paid, social work experience.

Subp. 5. **Licensed independent social worker (LISW).** For a licensed independent social worker (LISW), supervision qualifying an applicant as a licensed independent social worker consists of face-to-face, group, or interdisciplinary supervision sessions for a minimum of 50 hours for two years or 4,000 hours of supervised social work practice. The supervision must have been obtained after the applicant received a master's or doctorate degree. The supervision must be or have been provided by a licensed independent social worker or licensed independent clinical social worker. Experience required under this subpart does not include internships or volunteer work. The applicant must provide verification of supervision. If that supervision is found by the board to be unobtainable, the board may accept supervision from another qualified professional as defined under part 8740.0110, subpart 20. The burden of proof of the required supervision rests with the licensee.

Subp. 6. **Licensed independent clinical social worker (LICSW).** For a licensed independent clinical social worker (LICSW), supervision qualifying an applicant for an independent clinical social worker license includes review of a social worker's interaction with clients, with the goal of improving the social worker's clinical skills. Supervision must be conducted face-to-face or in group or interdisciplinary supervision sessions. The content may include but not be limited to discussion of case presentations, review of audio tapes, and direct observation of the social worker-client interaction by the supervisor. Supervision must have been provided for a minimum of 50 hours for the two years or 4,000 hours of supervised social work practice, in order to qualify the social worker for this level of licensure. The supervision must have been obtained after the applicant received a master's or doctorate degree. The supervision must have been provided by a licensed independent clinical social worker. Experience required under this subpart does not include internships or volunteer work. The applicant must provide verification of supervision. If that supervision is found by the board to be unobtainable, the board may accept supervision from a qualified mental health professional as defined in Minnesota Statutes, section 148B.18, subdivision 10. The burden of proof of the required supervision rests with the licensee.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699

8740.0140 EXAMINATION APPLICATION AND REEXAMINATION.

A. An applicant who otherwise qualifies for a license must take the examination required by this part.

B. An applicant shall obtain an examination application from the board or an agency specified by the board. The application fee and examination fee must be submitted either to the board or to the agency specified by the board, each time an applicant wants to be scheduled to take an examination.

C. The examination required for each of the categories of licensing described in Minnesota Statutes, section 148B.21, subdivisions 1 to 6, is the examination of the American Association of State Social Work Boards.

D. The examination shall be scheduled at least twice a year, at times and places the board determines.

E. The board, or the agency specified by the board, shall notify applicants in writing of the time and place of the examination.

F. There is no limit on the number of times an applicant may take the examination.

G. A licensee granted a licensed graduate social worker (LGSW) license during the transition period who did not have a Masters in Social Work degree from an accredited social work program may take the examination required for either the licensed independent social worker (LISW) license or the licensed independent clinical social worker license (LICSW) upon completion of supervision as required in part 8740.0130, subparts 5 and 6.

H. A licensee granted a licensed independent social worker (LISW) license during the transition period who did not have a Masters in Social Work degree from an accredited social work program may take the examination required for the licensed independent clinical social worker (LICSW) license upon completion of supervision as required in part 8740.0130, subpart 6.

I. A licensee granted a licensed independent clinical social worker (LICSW) license during the transition period who did not have a Masters in Social Work degree from an accredited social work program may take the examination required for the licensed independent social worker (LISW) license upon completion of supervision as required in part 8740.0130, subpart 5.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699

8740.0145 DENIAL OF LICENSE.

If an applicant fails to meet the requirements in Minnesota Statutes, section 148B.21, including but not limited to passing the examination, or fails to complete the required forms and provide information to the board, the board shall deny the application for a license according to the procedures in items A

and B.

A. The board shall notify the applicant, in writing, of the denial and the reason for the denial.

B. An application submitted following denial is a new application which must be accompanied by the appropriate fee in part 8740.0290.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0150 RECIPROCITY.

The board may grant a license to an applicant who provides satisfactory verification that the applicant is licensed currently under the laws of states or territories of the United States that at the time of original licensure imposed substantially the same requirements as parts 8740.0100 to 8740.0310. To obtain a license under parts 8740.0100 to 8740.0310, the applicant must meet the conditions in items A to D.

A. The applicant must submit a completed, signed, notarized application for reciprocity that includes the applicant's affirmation that the statements in the application are true and correct to the best knowledge of the applicant. The application must identify all states or territories in which the applicant has ever held a professional license.

B. The applicant must provide the board with a copy of the rules and statutes governing licensing at the time of the original licensure in the other states where the applicant is licensed. The board shall determine substantial comparability of requirements by considering education and training, supervision, scope of practice, continuing education requirements, and code of conduct.

C. If the applicant fails to provide satisfactory verification of supervision of the level applied for, or the board determines that the requirements imposed by the other states at the time of original licensure are not comparable to parts 8740.0100 to 8740.0310, then the applicant must pass the examination required by part 8740.0140.

D. The board must receive verification from the licensing agency of any state or territory in which the applicant has held a professional license of the status of any disciplinary action involving the applicant. This information must be contained on forms provided by the board. Based on this information, the board may deny, limit, or restrict any license as the board deems necessary for the protection of the public.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0160 ISSUANCE OF LICENSE.

If the applicant meets the requirements in parts 8740.0120 to 8740.0150, the board shall issue a license and a number to

the applicant to practice social work according to parts 8740.0100 to 8740.0310 and Minnesota Statutes, chapter 148B.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0170 DISPLAY OF LICENSE.

A licensee must prominently display the license issued by the board at the licensee's primary place of employment or practice.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0180 TERM OF LICENSE, EFFECTIVE DATE.

An initial license is effective when the applicant has been issued a number after having paid the required fees. The applicant must pay the required fees within 60 days after the date of the board's approval of a license application. If after 60 days the board has not received an applicant's fee the applicant's file shall be closed and the applicant shall reapply according to part 8740.0120. Unless a license is revoked or suspended, it is initially valid for the period of time allowed in parts 8740.0195 and 8740.0210. It must be renewed according to parts 8740.0190, 8740.0195, 8740.0200, and 8740.0210.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0185 DUPLICATE LICENSE.

A duplicate license may be issued for the fee set in part 8740.0290, item E, when the licensee notifies the board by certified statement that the original license was lost, stolen, or destroyed. The duplicate license shall be marked "duplicate" and the date of its issuance indicated. If the licensee has a name change, the board shall issue a new license when the licensee provides verification of the name change, surrenders the original license, and pays a duplicate license fee.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699; 18 SR 1420

8740.0190 RENEWAL OF LICENSE.

A license granted in the transition period must be initially renewed according to part 8740.0195. Subsequent renewals of all licenses must be according to part 8740.0210. For a license to be renewed, a licensee must pay the renewal fee as defined in parts 8740.0210, subpart 5, and 8740.0290, complete the appropriate number of continuing education hours, and, where applicable, show compliance with supervision requirements of part 8740.0130.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0195 RENEWAL OF LICENSES ISSUED IN THE TRANSITION PERIOD.

A license issued to applicants who applied for licensure during the transition period must be renewed initially according to items A and B.

A. An odd-numbered license must be initially renewed by June 30, 1991.

B. An even-numbered license approved by the board on or before December 31, 1989, must be renewed by June 30, 1990.

C. An even-numbered license approved by the board on or after January 1, 1990, must be renewed by June 30, 1992.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0200 RENEWAL APPLICATION PROCEDURES.

Subpart 1. **Service.** The licensee must maintain a current correct mailing address with the board for receiving board communications, notices, and license renewal documents. Placing the renewal application in first class United States mail, addressed to the licensee at the licensee's last known address with postage prepaid, constitutes valid service.

Subp. 2. **Application mailing date.** The board shall mail a license renewal application to the last known address of every licensee holding a current license. Failure to receive the renewal documents does not relieve a license holder of the obligation to renew or to pay the renewal fee. The licensee must inform the board in writing of a change in address within 30 days of the address change.

Subp. 3. **Expired license.** The failure to renew will result in an expired license. An expired license must be reinstated according to part 8740.0205.

Subp. 4. **Incomplete application notice.** If a licensee submits a renewal form or renewal fee or continuing education form that is incomplete, incorrect, or not in compliance with this part, the board shall notify the licensee of the deficiency and shall give the licensee instructions for completing or correcting the application. The board will cancel a licensee renewal if the correction required in the board notice is not made within 30 days after the notice was mailed.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0205 REINSTATEMENT OF EXPIRED LICENSE.

Subpart 1. **Guidelines for reinstatement.** An expired license shall be reinstated if no fact, circumstance, or condition exists to justify revocation or suspension under part 8740.0250; if the individual meets the education and supervision requirements of Minnesota Statutes, section 148B.21; if the individual passes the examination required in part 8740.0140; and if the individual pays the fees required in part 8740.0290, item B.

Subp. 2. **Use of an expired license.** An individual whose license has expired shall not use the title for which the license was issued and shall not practice social work. A licensee whose license has expired must return the license certificate and the most recent evidence of renewal to the board within ten days after the effective date the license expires.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699; 18 SR 1420

8740.0210 CONVERSION OF LICENSE RENEWAL PROCEDURES.

Subpart 1. **License renewal cycle conversion.** Beginning January 1, 1992, all licenses will be renewed on a biennial (two-year) cycle basis that begins on the first day of the month following the individual's birth month rather than on June 30 or on the actual anniversary date of licensure. Future cycles will run consecutively from that point.

Subp. 2. **Conversion of license renewal cycles for current licenses.** The license renewal cycles for current licenses are converted according to items A and B.

A. Beginning January 1, 1992, for a licensee who applied for licensure during the transition period, and who was issued an odd-numbered license, which is due to be initially renewed according to part 8740.0195, item A, by June 30, 1991, that renewed license is current until the last day of the licensee's birth month in 1993.

For example, license number 00001 must be initially renewed by June 30, 1991, under part 8740.0195, item A.

If the licensee's birth month is May, the licensee must renew the license again by May 31, 1993.

B. Beginning January 1, 1992, for a licensee who applied for licensure during the transition period and who was issued before January 1, 1990, an even-numbered license which is due to be initially renewed according to part 8740.0195, item B, on June 30, 1990, that renewed license is current until the last day of the licensee's birth month in 1992.

For example, a license numbered 00002 must be initially renewed by June 30, 1990, according to part 8740.0195, item B. If the licensee's birth month is September, the licensee must renew the license again by September 30, 1992.

C. Beginning January 1, 1992, for a licensee who applied for licensure during the transition period and who was issued after December 31, 1989, an even-numbered license which is due to be renewed according to part 8740.0195, item B, on June 30, 1992, that renewed license is current until the last day of the licensee's birth month in 1994.

For example, a license numbered 6000 must be initially renewed by June 30, 1992, according to part 8740.0195, item B. If the licensee's birth month is September, the licensee must renew the license again by September

30, 1994.

Subp. 3. Subsequent renewal cycles. After the licensee's renewal during the conversion period under subpart 2, the subsequent renewal cycles shall be biennial cycles that begin on the first day of the month following the licensee's birth month.

For example, a licensee who was born in August, who initially renewed the license by August 31, 1992, must renew the license by August 31 of every two years.

The new renewal cycle begins September 1.

Subp. 4. Licenses issued after June 30, 1989. Licenses issued to persons who applied after June 30, 1989, will be current and effective from the effective date under part 8740.0180 until the last day of their birth month the second year after the initial licensing. After the initial licensure period, subsequent renewal periods shall be biennial cycles that begin on the first day of the month following the licensee's birth.

For example, a licensee who was born in October, and who applied for and was issued a license on May 15, 1990, must initially renew the license by October 31, 1992. The license must be subsequently renewed every two years, by October 31. The new renewal cycle begins November 1.

Subp. 5. Conversion period and fees. A licensee who applied for a license during the transition period, and who renews that license according to the conversion under subpart 2, shall pay the prorated renewal fees required by items A to D. All renewals after the conversion period must be accompanied by the renewal fee in part 8740.0290, item F.

A. Licensees due to be renewed June 30, 1990, and having a birth month between January 1 and June 30, 1992, will pay the renewal fee under part 8740.0290, item E, prorated for the total number of months the license will be valid, at a rate of 1/24 of the biennial fee per month.

For example, during the conversion, the renewal cycle for a licensee who initially renews the license June 30, 1990, and whose birthday falls in January 1992, will be only 19 months. The renewal fee the licensee will pay for this renewal cycle is prorated for 19 months.

B. Licensees due to be renewed June 30, 1990, and having a birth month between July 1 and December 31, 1992, will pay the renewal fee under part 8740.0290, item E, prorated for the total number of months the license will be valid, at a rate of 1/24 of the biennial fee per month.

For example, during the conversion, the renewal cycle for a licensee who initially renews the license June 30, 1990, and whose birthday falls in August 1992, will be 26 months. For this renewal cycle, the licensee will pay the full renewal fee, plus the

amount of the fee prorated for two additional months.

C. Licensees due to be renewed June 30, 1991, and having a birth month between January 1 and June 30, 1993, will pay the renewal fee under part 8740.0290, item F, prorated for the total number of months the license will be valid, at a rate of 1/24 of the biennial fee per month.

For example, during the conversion, the renewal cycle for a licensee who initially renews the license June 30, 1991, and whose birthday falls in February, 1993, will be only 20 months. The renewal fee the licensee will pay for this renewal cycle is prorated for 20 months.

D. Licensees due to be renewed June 30, 1991, and having a birth month between July 1 and December 31, 1993, will pay the renewal fee under part 8740.0290, item F, prorated for the total number of months the license will be valid, at a rate of 1/24 of the biennial fee per month.

For example, during the conversion, the renewal cycle for a licensee who initially renews the license on June 30, 1991, and whose birthday falls in December 1993, will be 30 months. For this renewal cycle, the licensee will pay the full renewal fee plus the amount of the fee prorated for an additional six months.

E. Licensees with an approval date after January 1, 1990, and due to be renewed June 30, 1992, and having a birth month between January 1 and June 30, 1994, will pay the renewal fee under part 8740.0290, item F, prorated for the total number of months the license will be valid, at a rate of 1/24 of the biennial fee per month.

For example, during the conversion, the renewal cycle for a licensee who initially renews the license June 30, 1991, and whose birthday falls in February 1994, will be only 20 months. The renewal fee the licensee will pay for this renewal cycle is prorated for 20 months.

F. Licensees with an approval date after January 1, 1990, and due to be renewed June 30, 1992, and having a birth month between July 1 and December 31, 1994, will pay the renewal fee under part 8740.0290, item F, prorated for the total number of months the license will be valid, at a rate of 1/24 of the biennial fee per month.

For example, during the conversion, the renewal cycle for a licensee who initially renews the license on June 30, 1991, and whose birthday falls in December 1993, will be 30 months. For this renewal cycle, the licensee will pay the full renewal fee plus the amount of the fee prorated for an additional six months.

Subp. 6. Initial license period and fees. An individual who is initially licensed by the board after June 30, 1989, shall pay the social work application fee, examination fee, and

biennial renewal fees in part 8740.0290, as provided in items A to C.

A. Beginning January 1, 1992, the initial licensure period begins with the date the individual becomes licensed and ends with the last day of the licensee's birth month two years later. For a person whose birth month is more or less than 24 months after the initial licensure, the renewal fee will be prorated based on the total number of months the license will be valid, at a rate of 1/24 of the biennial fee per month.

B. The second license renewal made after the conversion period for the individual and all subsequent license renewals shall be assessed the license renewal fee in part 8740.0290, item F.

C. A licensee who does not supply a month, day, and year of birth shall be assigned a month and year for license renewal purposes.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0220 INACTIVE LICENSE STATUS.

Subpart 1. **Application.** An application for an inactive license must be submitted before the expiration of the license period. Upon receiving notice of the board's approval of the application, the licensee must discontinue practicing social work, cease displaying the license, and pay the inactive status fee in part 8740.0290, item F.

Subp. 2. **Time limit on inactive status.** The inactive status shall not exceed ten consecutive years. After ten years, the licensee must reapply for active status or the board shall cancel the license.

Subp. 3. **Supervision requirement.** If the licensee has had an inactive license for more than five consecutive years, the licensee must receive 25 hours of supervision during the first 12 months of reemployment in social work practice. This supervision must be documented at the time of license renewal.

Subp. 4. **Limit on practice.** Persons with licenses on inactive status shall not practice, attempt to practice, offer to practice, or advertise or hold themselves out as authorized to practice social work.

Subp. 5. **Reactivating a license.** The board shall reactivate a license of a person who is on inactive status and who desires to resume the practice of social work, if the person notifies the board in writing of this intention, agrees to the supervision requirements, has met the continuing education requirements in effect while on inactive status, and pays the prorated license renewal fees sufficient to return to the biennial birth month renewal schedule. The board shall then reissue a license.

A. Licensed social workers who have not completed the required two years or 4,000 hours of supervised practice as

defined in part 8740.0130, subpart 3, must meet that requirement in addition to any specified in subpart 3.

B. Licensed graduate social workers are required by part 8740.0130, subpart 4, to document 50 hours of supervision at each renewal. Licensed graduate social workers returning to active status who have been on inactive status for more than five years must meet the requirements of subpart 3, before applying to take an examination for a higher level license.

C. Nothing in this part precludes the board from taking disciplinary action against a licensee based on conduct occurring before inactive status was granted or during the inactive period.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699; 17 SR 1279; 18 SR 1420

8740.0225 EMERITUS LICENSE STATUS.

Subpart 1. **Emeritus status; requirements.** A social worker duly licensed to practice social work in the state under Minnesota Statutes, chapter 148B, and who is retired from the active practice of social work, may apply to the board for emeritus status:

A. by indicating on the person's renewal form, or by petitioning the board in writing;

B. by indicating the person has not been the subject of disciplinary action resulting in the suspension, revocation, qualification, condition, or restriction to practice social work; and

C. by paying the one-time emeritus fee.

Subp. 2. **Limit on practice.** A licensee who has emeritus status shall not engage in social work practice.

Subp. 3. **Continuing education not required.** Continuing education requirements are not applicable to emeritus status.

Subp. 4. **Reactivating license.** In the exceptional case that a social worker issued an emeritus license should wish to resume practicing, the board shall reactivate the license according to the procedure in part 8740.0220, subpart 5, for reactivating an inactive license. The person seeking reactivation must notify the board of the intent to resume practice, agree to the supervision requirement if applicable, document that the licensee has completed the required continuing education, pay the inactive status fees for the emeritus period, and pay the prorated renewal fee sufficient to return to the biennial birth month renewal schedule. Nothing in this part precludes the board from taking disciplinary action against a licensee based on conduct occurring before emeritus status was granted or during the emeritus status.

If a person has had an emeritus license more than five consecutive years, the licensee must receive 25 hours of supervision during the first 12-month period. This must be documented at the time of renewal.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699

8740.0230 CHANGE OF ADDRESS.

A licensee must notify the board in writing of any change of name, address, or place of residence within 30 days after the change.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699

8740.0240 VOLUNTARY TERMINATION OF LICENSE.

A licensee may request voluntary termination of a license by notifying the board in writing. The board shall notify the licensee in writing if the request is approved or denied. A licensee who has voluntarily terminated a license must return the license certificate and the most recent evidence of renewal to the board within ten days after the effective date of the voluntary termination. An individual whose request for voluntary termination has been accepted by the board or whose license has expired shall not use the title for which the license was issued and shall not practice, offer to practice, advertise, or otherwise represent the person as authorized to practice social work. A licensee who voluntarily terminates a license may reapply for a license according to the requirements in parts 8740.0120 to 8740.0310. Nothing in this part shall preclude the board from taking disciplinary action against a licensee based on conduct occurring before the voluntary termination.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699; 17 SR 1279

8740.0250 SUSPENSION OR REVOCATION OF LICENSE.

The board has the authority to deny, suspend, revoke, condition, or limit a license based on the procedures and criteria in Minnesota Statutes, chapters 14 and 148B.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699

8740.0260 SUSPENDED OR REVOKED LICENSE.

A licensee whose license has been suspended or revoked must return the license certificate and the most recent evidence of renewal to the board within ten days after the effective date of the suspension or revocation. Failure to comply with this part constitutes grounds for the denial of any subsequent request for reinstatement.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699

8740.0270 VARIANCE.

Subpart 1. **Request for variance.** An applicant or licensee may ask the board for a variance from the provisions of parts 8740.0100 to 8740.0285.

A request for a variance must be submitted to the board in writing and must contain:

- A. the specific rule for which the variance is requested;
- B. the reason for the request;
- C. the alternative measures that will be taken to protect the public if a variance is granted;
- D. the length of time for which a variance is requested; and
- E. additional information that the board requests from the applicant, that relates to the request for a variance.

Subp. 2. **Criteria for approval.** The board shall grant a variance if it determines that:

- A. the variance will not adversely affect, directly or indirectly, the health, safety, or well-being of the public;
- B. the alternative measures to be taken, if any, are equivalent or superior to those prescribed in the part for which the variance is requested; and
- C. compliance with the part for which the variance is requested would impose an undue burden upon the applicant for the variance.

The board shall deny, revoke, or refuse to renew a variance if the board determines that item A, B, or C has not been met.

Subp. 3. **Notification.** The board shall notify the applicant in writing of the board's decision. If the variance is granted, the notice must specify the period of time for which the variance is effective and the alternative measures or conditions, if any, the applicant must meet.

Subp. 4. **Renewal.** An applicant must submit a request for the renewal of a variance, in writing, before the expiration date of the existing variance. A renewal request must contain the information specified in subpart 1. The board shall renew a variance if the applicant for the renewal continues to satisfy the criteria in subpart 2 and complies with the alternative measures or conditions imposed at the time the original variance was granted.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699

8740.0285 CONTINUING EDUCATION REQUIREMENTS.

Subpart 1. **Continuing education requirements.** At the time of renewal, each licensee shall provide evidence satisfactory to the board that the licensee has completed 30 continuing education hours of approved continuing education during each biennium of licensure. The licensee may attend programs approved by the Board of Social Work or other programs that meet

the requirements in subparts 4 and 6 and are documented as indicated in subpart 8.

A person licensed during the transition period under part 8740.0195 may include and count continuing education programs from January 1989 for credit at the time of the first license renewal if the program meets the requirements in subparts 2 to 11.

Subp. 2. Transition period. For licensees who are issued even-numbered licenses during the transition period under part 8740.0195, item B, 15 continuing education hours are required for the one-year, one time only, license renewal.

Subp. 3. Emeritus license holders. Emeritus licensees are exempt from the continuing education requirement.

Subp. 4. Content areas for continuing education. Continuing education programs approved under subparts 6 to 11 must contain one of the following content areas related to social work practice:

A. theories and concepts of human behavior and the social environment;

B. social work practice/knowledge and skills;

C. social work research, program, or practice evaluation;

D. management/administration/social policy;

E. social work ethics; or

F. an area, chosen by the board, deemed to be of current importance.

Subp. 5. Nonacceptable subject areas. Final determination of the acceptability of approved content areas rests with the board. Nonacceptable subjects include, but are not limited to, subjects contrary to the code of ethics, marketing, business, personal development, time management, and supervisory sessions. Staff orientation and agency activities that address procedural issues are ineligible. Where there is any question about the acceptability of a program, a licensee should inquire of the board.

Subp. 6. Continuing education program types. Continuing education must be earned in at least two of the program areas in items A to G.

A. Academic course work:

(1) courses and seminars given by accredited social work programs;

(2) postgraduate courses from a university, college, or other institution of higher education, in a field other than social work, upon proof that the course is relevant to social work practice;

(3) undergraduate courses from a university, college, or other institution of higher education, if they can be shown to update or enhance the licensee's social work competency. Course and supporting information must accompany the request; and

(4) correspondence work, televised courses, audiovisual, video tapes, and other forms of self study, shown to update or enhance competency. These activities must be preapproved by the board. No more than ten hours from this category will be acceptable as continuing education for each renewal cycle.

B. Continuing education presentations at national, international, regional, or subregional conferences or association meetings.

C. Workshops or institutes, including approved workshops at conventions.

D. Public or private agency staff development programs that contribute to the enhancement of social work practices or knowledge and that are not primarily procedural or administrative.

E. Individual activities such as lectures, publications of professional articles, course or conference presentation, or research leading to publication or presentation. The activities must be approved by the board on an individual basis. No more than ten hours from this category will be acceptable as continuing education for each renewal cycle.

F. Informal study carried on individually and documented by the name of the topic, the title and author of resources or books used in the informal study, and the time spent in informal study. Informal programs of study must be approved by the board. No more than ten hours from this category will be acceptable as continuing education for each renewal cycle.

G. Continuing education hours completed by licensees to meet the requirements of other boards or authorities will be accepted by the board as long as the program types and content areas are consistent with those in subpart 4.

Subp. 7. Continuing education hours. Continuing education hours are determined according to items A to E.

A. "One continuing education hour" means at least 50 minutes of uninterrupted learning in each hour.

B. One semester credit equals 15 continuing education hours. One quarter credit equals ten continuing education hours. Credit for auditing will be actual clock hours attended not to exceed the academic credit.

C. Presenters will be credited with two continuing education hours for every hour of presentation at a conference, workshop, or institute. Credit will be given only once regardless of the number of times the course is presented.

D. Multiday, convention type meetings, national or local, that meet the criteria of subpart 6, items B and C, are credited the hours given by the sponsor.

E. Individual study hours may be approved by the board at the request of the licensee.

Subp. 8. Documentation of courses. A licensee must

document completion of continuing education requirements according to items A to D.

A. When the licensee applies for renewal of the license, the licensee must submit documentation of completion of the required continuing education hours on an appropriate form furnished by the board.

B. Documentation must include the following information:

- (1) the title of the activity;
- (2) the number of credit hours for the activity;
- (3) the name of the provider or sponsor of the activity; and
- (4) the date and location of the course.

C. Licensees must keep in their records documentation of their participation in continuing education activities according to subitems (1) to (4).

(1) For workshops, institutes, and conferences as described in subpart 6, items B to D, at least one of the following is required:

- (a) a copy of the certificate, if any, the provider or sponsor issued to the participants;
- (b) the certificate of attendance, if any, provided by the program sponsor with all information completed; or
- (c) an affidavit signed by the program or course instructor that the licensee attended the workshop, conference, or institute.

(2) Individual activities as described in subpart 6, item E, are verified by:

- (a) a copy of the program for the lecture or presentation;
- (b) a notice of publication of the written material; or
- (c) other material that may be requested by the board.

(3) Academic course work as described in subpart 6, item A, is verified by:

- (a) a copy of the transcript; or
- (b) a report signed by the instructor of hours attended.

(4) Informal studies as defined in subpart 6, item F, are verified by written summaries of course work with title, instructors' names, course content, and the time spent in informal study. Such activities must be approved by the board to be considered for continuing education hours.

D. The board shall audit a random sample of continuing education reports. It is the responsibility of the licensee to keep copies of all documentation required under this part for an audit. The licensee must keep all records of evidence or proof of continued education activities for the four

years following the license renewal.

Subp. 9. **Violation of continuing education requirements.** Falsification of continuing education reports or failure to meet continuing education requirements is a violation of license renewal requirements and may result in formal disciplinary action.

Subp. 10. **Sponsor application for preapproval of continuing education programs.** Board approval of a continuing education program must be obtained according to items A and B.

A. Application may be made by an association, corporation, educational institution, organization, or person to have a program preapproved by the board. In order to advertise that the program is approved for continuing education by the board, the sponsor must have received board approval.

The request must be submitted to the board, typed on the appropriate forms, and must contain the following information:

- (1) a statement of the objectives and goals of the program or course, including the knowledge and skills each participant is expected to gain upon completion;
- (2) a description of the content of the program or course, including a detailed agenda;
- (3) a description of the teaching method to be used;
- (4) a copy of the evaluation form to be used by the participants; and
- (5) a listing of the qualifications of each instructor as evidence of the instructor's current knowledge and skill in the program or course subject.

The request for approval for single programs must be submitted to the board at least 60 days before the date of the program, and must include the appropriate application fee, before the application will be considered. Requests for approval of multiple programs must be submitted to the board at least 90 days before the programs begin.

B. Program approval shall remain in effect for one year. Sponsors of approved courses shall retain a list of participants to whom continuing education hours are granted for four years. Proposed content changes in any approved program or course must be submitted to the board for its approval.

Subp. 11. **Board review of continuing education sponsor applications.**

A. The board shall approve or deny applications for continuing education programs or courses within 45 days after receipt of the application and respond in writing to the applicant.

B. The board may deny, refuse to renew, revoke, or suspend authorization or approval previously furnished to sponsors of an approved program, if the program fails to conform to its application as approved by the board, or if it fails to furnish program content as publicized, or for falsification of

any information requested by the board.

Subp. 12. **Renewal of sponsor applications.** An application for course approval or renewal must be submitted to the board with the appropriate fee at least 60 days before the expiration of the annual date.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0290 FEES.

The fees in items A to G shall be paid by cash, personal check, bank draft, cashier's check, or money order made payable to the Board of Social Work. All fees are nonrefundable.

A. Application fee, \$30.

B. Initial license fee, payable in addition to application fee:

- (1) licensed social worker, \$80;
- (2) licensed graduate social worker, \$140;
- (3) licensed independent social worker, \$210;
- (4) licensed independent clinical social worker,

\$230.

C. Biennial renewal fee:

- (1) licensed social worker, \$80;
- (2) licensed graduate social worker, \$140;
- (3) licensed independent social worker, \$210;
- (4) licensed independent clinical social worker,

\$230.

D. Emeritus fee, \$30.

E. Duplicate license, \$15.

F. Inactive status fee:

- (1) licensed social worker, \$80;
- (2) licensed graduate social worker, \$140;
- (3) licensed independent social worker, \$210;
- (4) licensed independent clinical social worker,

\$230.

G. Application fee for continuing education program sponsor:

- (1) for one to four continuing education hours applied for, \$30;
- (2) for five to eight continuing education hours applied for, \$45;
- (3) for nine to 16 continuing education hours applied for, \$60;
- (4) for 17 to 24 continuing education hours applied for, \$75;
- (5) for more than 24 hours applied for, \$100.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699; 18 SR 1420

8740.0300 CODE OF ETHICS.

Subpart 1. **Code of ethics.** The code of ethics applies to the licensees and applicants who practice social work and applies to their conduct during the period of education, training, and employment which is required for licensure.

Subp. 2. **Purpose.** The code of ethics constitutes the standards by which the professional conduct of a licensee is measured.

Subp. 3. **Violations.** A violation of the code of ethics is unprofessional or unethical conduct and is a sufficient reason for disciplinary action or denial of licensure under part 8740.0250.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06

HIST: 15 SR 1699

8740.0310 ETHICAL STANDARDS.

Subpart 1. **Responsibility to clients.** A licensee's primary professional responsibility is to the client. The licensee shall make every effort to advance the welfare and best interests of families, individuals, groups, and communities. A licensee must respect the rights, including the right to self-determination, of those persons seeking assistance. A licensee must perform professional duties on the highest levels of integrity and confidentiality and shall not hesitate to ask for assistance from other professional disciplines when circumstances dictate. A licensee must protect the public against, and shall report, unethical, incompetent, and dishonorable practices by social workers and other regulated health professionals to the board or other appropriate authority, as required under Minnesota Statutes, section 626.556, governing reporting of maltreatment of minors, or 626.557, governing reporting of maltreatment of vulnerable adults, and as required under Minnesota Statutes, section 148B.07, subdivision 4, governing reporting unprofessional conduct or mental incompetence, or other incompetence of licensed professionals.

Subp. 2. **Nondiscrimination.** In the treatment of clients, a licensee must not discriminate on the basis of age, sex, race, national origin, religion, physical handicap, political affiliation, or social or economic status. In addition, a licensee must not discriminate on the basis of affectional preference, or choice of lifestyle. When unable to offer services for any reason, a licensee shall make an appropriate referral.

Subp. 3. **Relations with clients.**

A. A licensee shall not engage in any type of sexual contact with a client, as defined in Minnesota Statutes, chapter 148A.01, subdivision 7.

B. A licensee shall not engage in sexual contact with a former client for at least two years after the professional

relationship with the client ends, or for a longer period if there is a finding that the client is emotionally dependent on the licensee.

C. A licensee shall not offer medication, controlled substances, or alcoholic beverages to a client, or accept these substances from a client.

D. A licensee must be cautious in prognosis and shall not exaggerate the efficacy of services.

E. The licensee must recognize the importance of clear understandings of financial matters with clients. Fees and payments must be arranged at the beginning of the relationship. Bartering between the licensee and the licensee's client in establishing fees and payments is not allowed.

Subp. 4. **Code of personal conduct.** The licensee must demonstrate objectivity, integrity, and sound standards in the interest of service to the public and to the profession. Licensed status shall not be used as a claim, promise, or guarantee of successful service, nor shall the license be used to imply that the licensee has competence in another service. The licensee shall not misrepresent professional qualifications, affiliations, and licenses of the licensee or the institutions and organizations with which the licensee is associated.

A. A licensee shall not sexually harass, make sexual advances toward, or engage in sexual contact with any client, student, or trainee under the licensee's supervision.

B. A licensee shall not use or possess prohibited drugs as they are defined in Minnesota Statutes, chapter 152, unless prescribed for a legitimate medical purpose.

C. A licensee shall not use any drug, controlled substance, alcoholic beverage, or medication in a manner that impairs the licensee's ability to conduct the practice authorized by license.

D. A licensee shall not use a professional relationship to further personal, religious, political, or business interests.

E. A licensee shall not participate in relationships with clients which could impair the licensee's professional judgment.

F. A licensee shall not wrongfully disparage the qualifications or character of any professional colleagues, agencies, organizations, or clients.

G. A licensee shall not diagnose, prescribe for, treat, or advise on problems beyond the licensee's level of competence. A licensee shall not provide services outside of the licensee's level of licensure.

H. A licensee shall not permit a student, trainee, or intern under supervision to perform, nor endorse any claim to be competent to perform, professional services beyond the student's, trainee's, or intern's level of training.

I. A licensee shall terminate service to a client and

a professional relationship with a client when the service and relationship are no longer required to serve the client's needs or interests.

Subp. 5. **Confidentiality and keeping records.**

A. A licensee must keep accurate records detailing problems, scope of services, and dates of client contacts for a minimum of three years after the date on which services were last provided to the client. Records must be securely kept to ensure the confidentiality of clients. Records or other oral or written information which personally identifies the client shall not be released to third parties unless:

(1) the client or authorized representative consents in writing;

(2) a court of competent jurisdiction orders release of the records;

(3) the records are disclosable under the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13;

(4) the information released does not compromise the confidentiality of any other individuals; or

(5) the board issues a subpoena for the records according to Minnesota Statutes, section 148B.07, subdivision 9.

B. The licensee must inform clients of the limits of confidentiality.

C. The licensee must submit required reports and documents in a timely enough fashion that the well-being of the client is not adversely affected.

D. When a licensee has reason to believe that a client presents clear and immediate danger to an individual or society, the licensee has the duty to warn the potential victim and the appropriate authorities. A licensee shall communicate this warning with or without the client's consent.

E. A licensee must report suspected abuse of children and vulnerable adults as required by Minnesota Statutes, sections 626.556 and 626.557. A licensee shall not knowingly report distorted, erroneous, or misleading research conclusions.

Subp. 6. **Research.** A licensee must conduct research activities with full respect for the rights and dignity of participants and with full concern for their welfare. A person's participation in research must be voluntary, and based on the informed consent of the participant or the legally appointed guardian. In the case of a minor, informed consent must be obtained from a parent or legally appointed guardian.

Subp. 7. **Advertising.** A licensee shall not use false, fraudulent, or misleading advertising in the marketing of services under the scope of social work practice.

SA: MS s 148B.17; 148B.20 to 148B.23; 214.06
HIST: 15 SR 1699



STATE OF MINNESOTA

BOARD OF SOCIAL WORK

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August 1, 1997

CHANGES TO THE MINNESOTA SOCIAL WORK PRACTICE ACT

The Minnesota Legislature enacted a number of amendments to the Minnesota Social Work Practice Act during the 1997 session. All of the changes are effective August 1, 1997. A copy of the amended Act is enclosed for your use. This document should be used in place of the laws/statutes section of the handbook which was issued to you at the time of initial licensure.

Also enclosed is a copy of the Social Work Rules. There have been no changes to the rules. The rules contained in the handbook are still current. This copy is being provided to you now in the event that you no longer have the handbook which was issued to you at the time of initial licensure. In addition to wanting to make sure you know the rules, the Minnesota Board would like you to provide comment about the rules, if you wish, as discussed at the bottom of the back side of this sheet.

The current statutes and rules are being provided to you in this format at this time, as the Board will be revising its rules over the next year. After new rules are adopted, and after any other amendments to the Board's Practice Act in the 1998 legislative session, the Board will be publishing a more user-friendly handbook that will be able to be updated easily as changes are made in the future.

HIGHLIGHTS OF CHANGES TO THE SOCIAL WORK PRACTICE ACT

1. Reorganization of existing law

In the old handbook you will find sections 148B.01 to 148B.175. These sections applied to the Board of Social Work and the Board of Marriage and Family Therapy. These sections still apply to Marriage and Family Therapy, but they no longer apply to the Board of Social Work. Most of the provisions, however, were moved into the amended Social Work Practice Act, in new sections 148B.281 to 148B.289 (pages 11 to 19). Significant changes to these sections are explained below.

2. Board size and composition

The Board size and composition is governed by section 148B.19 (page 3). The size of the Board is changed from 11 to 15 members. There are ten social workers and five public members on the Board. Eight of the ten social worker members must be from specific practice settings, as noted on page 3. At least five members must have expertise in communities of color, and at least six members shall reside outside of the seven-county metropolitan area.

There is now an opening for one baccalaureate level social worker and one master's level social worker on the Board. Because of the current composition of the Board, persons with expertise in communities of color and persons residing in Greater Minnesota are needed. Interested persons can contact the Secretary of State's office to request an application, at (612) 297-5845.

3. Definition of social work practice

There is a new definition of social work practice in section 148B.18, subdivision 11 (page 2).

4. Criminal background checks

The Legislature enacted a provision (section 148B.21, subdivision 6a; page 6) that all new applicants for licensure must have a criminal background check completed as part of their application. This provision is effective for persons applying on or after August 1, 1997.

The Legislature also enacted a provision which requires that all current licensees must complete a one-time criminal background check (section 148B.22, subdivision 3; page 7). *Please see the attached sheet explaining the details of how this requirement will be implemented.*

5. Disciplinary grounds

There are a number of new grounds for discipline or corrective action. Most of section 148B.26, subdivision 1 (pages 8-9) is new, and you are encouraged to review these grounds carefully. Please remember that engaging in the conduct listed is a ground for possible disciplinary action. All conduct is reviewed on a case-by-case basis, in light of all of the circumstances.

6. Mandatory reporting

The standard for mandatory reporting has been changed significantly. Before the change, licensees were required to report to the Board any personal knowledge of conduct by another licensee that the licensee believed would constitute a ground for disciplinary action.

The new standard in section 148B.23, subdivision 4 (page 15), requires a licensee to report to the board information on certain specified conduct (part (a)). For all other conduct which may be violation of the statutes and rules of the board, a licensee must report the conduct when the licensee reasonably believes, after appropriate assessment, that the client's functioning has been or likely will be affected negatively by the conduct, even if the conduct has ceased (part (b)). (A licensee may still make a voluntary report without making this assessment, if they wish to do so.)

This new standard allows more room for a supervisee to talk with a supervisor, or a licensee to talk with a colleague, about conduct which may not have been OK. It allows more opportunity for discussion and education about the conduct. At the same time, it does put a burden on the supervisor or the colleague to make an assessment about whether the conduct has or will harm the client's functioning. A supervisor's decision that the conduct need not be reported may be reviewed by the Board at a later date, should a complaint be received about the conduct.

Intent to Revise the Board's Rules

The Board will be revising its rules over the next year. The Board has decided that all licensees will receive a copy of the proposed changes, so it is not necessary to request that your name and address be on a rulemaking list (as required before). ***You are encouraged to review the rules now and make any suggestions about changes that you think should be made. Suggestions should be submitted to the Board office in writing by September 30, 1997.*** Even if you do not submit suggestions at this time, you will have an opportunity to comment on any proposed changes, when they are sent to you.



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Criminal Background Checks for Current Licensees

The Minnesota Legislature passed a law in the 1997 session that requires all current licensees to complete a one-time criminal background check through the Bureau of Criminal Apprehension. As many of you know, a background check is required for employment in many licensed facilities, and this new requirement for licensed social workers is consistent with this trend.

The Board will be mailing a criminal background form to all current licensees in 1998. About half of the licensees will receive a form in January 1998, and about half of the licensees will receive a form in July 1998. By completing the form, you will be authorizing the Board of Social Work to obtain a copy of the history of any criminal conduct in Minnesota, if any, from the Bureau of Criminal Apprehension.

(If you complete a criminal background check as part of a licensure application process between August 1, 1997 and December 31, 1997, a form will not be sent to you in 1998.)

The cost for the background check, payable to the Board of Social Work, is \$8.00. The entire \$8.00 will then be paid by the Board to the Bureau of Criminal Apprehension and will cover the Bureau's costs for processing the background check.

Upon receipt of the report, the Board will then review the form and decide whether it needs to follow-up on any reported criminal conduct. There are two ways in which the Board might follow-up. First, the Board might decide that the reported conduct needs to be investigated for possible disciplinary action against your license. *As with any report of criminal conduct, the Board will consider a number of factors, such as the length of time since the offense, the relation of the offense to social work practice, and the rehabilitative steps taken by the social worker.* Second, if the Board determines that you did not disclose the reported criminal conduct on your licensure or renewal application, as required, the Board could decide to follow-up for possible disciplinary action for failure to report this information.

For most people, the Board will simply record and notify you that the one-time criminal background check has been completed. You will also be notified that you may request a copy of the report from the Bureau of Criminal Apprehension. (While you may have already completed a criminal background check for your employer, a copy of a previous background check will not be sufficient.)

The Board wants to get through this process as quickly and smoothly as possible, and your cooperation with this request will assist the Board in completing this task. Please note that failure to complete and submit the form authorizing the Board to receive a report on any criminal conduct will itself be considered a ground for disciplinary action.

If you have any comments about having to go through this process, please submit them in writing so that may be reviewed by the Board. Also, we request that you hold any questions about the process for completing the criminal background check until you receive written notification in either January or July 1998, as the process is still being developed. Thank you for your cooperation with this process.



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Minnesota Social Work Practice Act – Minnesota Statutes, Sections 148B.18 - 148B.289

The Minnesota Social Work Practice Act is the law enacted by the Minnesota Legislature which governs the licensure and regulation of social workers in the State of Minnesota.

The Board of Social Work must implement the law as written. The Board does not have the power to approve of an exception to the law. When the law is unclear, the Board does have the discretion to interpret the law, although any Board interpretation of the law could be challenged in a contested proceeding.

The following is a Table of Contents of the current Social Work Practice Act, effective August 1, 1997.

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The Board of Social Work Rules begin on Page 19.

Minnesota Social Work Practice Act -- Minnesota Statutes, Sections 148B.18 - 148B.289

148B.18 DEFINITIONS.

Subdivision 1. Applicability. For the purposes of sections 148B.18 to 148B.289, the following terms have the meanings given them.

Subdivision 2. Accredited program of social work. "Accredited program of social work" means a school of social work or other educational program that has been accredited by the council on social work education.

Subdivision 2a. Applicant. "Applicant" means a person who has submitted an application, with the appropriate fee, for licensure by the board.

Subdivision 3. Board. "Board" means the board of social work created in section 148B.19.

Subdivision 3a. Client. "Client" means an individual, couple, family, group, organization, or community that receives, received, or should have received services from an applicant or licensee.

Subdivision 4. County agency social worker. "County agency social worker" means an individual who is employed by a county social service agency in Minnesota in social work practice.

Subdivision 4a. Licensee. "Licensee" means a person licensed by the board.

Subdivision 5. State agency social worker. "State agency social worker" means an individual who is employed by a state social service agency in Minnesota in social work practice.

Subdivision 8. Private practice. "Private practice" means social work practice conducted by a licensee practicing within the permissible scope of a license, as defined in subdivision 11, and under appropriate supervision, as defined in subdivisions 11 and 12, who is either self-employed, or a member of a partnership or of a group practice, rather than being employed by an agency, clinic, or other similar entity.

Subdivision 9. Psychotherapy. "Psychotherapy" in clinical social work practice means the application of social work theory, methodology, and values in the treatment of a person or persons who have cognitive, emotional, behavioral, or social dysfunctions through psychosocial, psychological, or interpersonal methods. The treatment is a planned and structured program which is based on information from a differential diagnostic assessment, and is directed toward the accomplishment of goals provided in a plan of care. The person-in-situation/environment configuration is considered and integrated into the diagnosis and treatment. Psychotherapy may be conducted by licensed independent clinical social workers and by licensed graduate or licensed independent social workers who practice under the supervision of either a licensed independent clinical social worker or, if approved by the board, by another qualified mental health professional.

Subdivision 10. Qualified mental health professional. "Qualified mental health professional" means a psychiatrist, board-certified or eligible for board certification, and licensed under chapter 147; a

psychologist licensed under sections 148.88 to 148.98; an independent clinical social worker who has the qualifications in section 148B.21, subdivision 6; a psychiatric registered nurse with a master's degree from an accredited school of nursing, licensed under section 148.211, with at least two years of post-master's supervised experience in direct clinical practice; a marriage and family therapist who is licensed under sections 148B.29 to 148B.39; or an equivalent mental health professional, as determined by the board, who is licensed or certified by a board or agency in another state or territory.

Subdivision 11. Social work practice. (a) "Social work practice" is the application of social work theory, knowledge, methods, and ethics to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities, with particular attention to the person-in-environment configuration. (b) For all levels of licensure, social work practice includes assessment, treatment planning and evaluation, case management, information and referral, counseling, advocacy, teaching, research, supervision, consultation, community organization, and the development, implementation, and administration of policies, programs, and activities.

(c) For persons licensed at the licensed independent clinical social worker level, and for persons licensed at either the licensed graduate social worker or the licensed independent social worker level who practice social work under the supervision of a licensed independent clinical social worker, social work practice includes the diagnosis and treatment of mental and emotional disorders in individuals, families, and groups. The treatment of mental and emotional disorders includes the provision of individual, marital, and group psychotherapy.

Subdivision 12. Supervision. "Supervision" means the direction of social work practice in face-to-face sessions. Further standards for supervision shall be determined by the board of social work. Supervision shall be provided:

(1) by a social worker licensed at least at the level of the worker being supervised and qualified under section 148B.21 to practice without supervision, except that a licensed graduate social worker may supervise a licensed social worker; or

(2) by another qualified professional or qualified mental health professional when the board of social work determines that supervision by a social worker as required in clause (1) is unobtainable, or in other situations considered appropriate by the board of social work.

148B.185 APPLICABILITY.

Sections 148B.18 to 148B.289 apply to all applicants and licensees, to all persons practicing social work with clients in this state, and to persons engaged in the unauthorized practice of social work.

148B.19 BOARD OF SOCIAL WORK.

Subdivision 1. Creation. The board of social work is created. The board consists of 15 members appointed by the governor. The members are:

- (1) ten social workers licensed under sections 148B.18 to 148B.289; and
- (2) five public members as defined in section 214.02.

Subdivision 2. Qualifications of board members. Five of the social worker members of the board shall be licensed at the baccalaureate level of licensure and five shall be licensed at the master's level of licensure. Eight of the social worker members shall be engaged in the practice of social work in Minnesota in the following settings:

- (1) one member shall be engaged in the practice of social work in a state agency;
- (2) one member shall be engaged in the practice of social work in a county agency;
- (3) two members shall be engaged in the practice of social work in a private agency;
- (4) one member shall be engaged in the practice of social work in a private clinical social work setting;
- (5) one member shall be an educator engaged in regular teaching duties at an accredited program of social work;
- (6) one member shall be engaged in the practice of social work in an elementary, middle, or secondary school; and
- (7) one member shall be employed in a hospital or nursing home licensed under chapter 144 or 144A.

In addition, at least five members shall be persons with expertise in communities of color and at least six members shall reside outside of the seven-county metropolitan area.

Subdivision 4. Officers and executive director. The board shall annually elect from its membership a chair, vice-chair, and secretary-treasurer, and shall adopt rules to govern its proceedings. The board shall appoint and employ an executive director who is not a member of the board.

Subdivision 5. Terms and salaries. Chapter 214 applies to the board of social work unless superseded by sections 148B.18 to 148B.289.

148B.20 DUTIES OF THE BOARD.

Subdivision 1. General. The board of social work shall: (a) Adopt and enforce rules for licensure of social workers and for regulation of their professional conduct. The rules must be designed to protect the public.

(b) Adopt rules establishing standards and methods of determining whether applicants and licensees are qualified under sections 148B.21 to 148B.23. The rules must make provision for examinations and must establish standards for professional conduct, including adoption of a code of professional ethics and requirements for continuing education.

(c) Hold examinations at least twice a year to assess applicants' knowledge and skills. The examinations may be written or oral and may be administered by the board or by a body designated by the board. Examinations must test the knowledge and skills of each of the four groups of social workers qualified under section 148B.21 to practice social work. Examinations must minimize cultural bias and must be balanced in theory.

(d) Issue licenses to individuals qualified under sections 148B.18 to 148B.289.

(e) Issue copies of the rules for licensure to all applicants.

(f) Establish and implement procedures, including a standard disciplinary process, to ensure that individuals licensed as social workers will comply with the board's rules.

(g) Establish, maintain, and publish annually a register of current licensees.

(h) Educate the public about the existence and content of the rules for social work licensing to enable consumers to file complaints against licensees who may have violated the rules.

(i) Evaluate its rules in order to refine the standards for licensing social workers and to improve the methods used to enforce the board's standards.

Subdivision 2. Repealed.