

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 694*

Short Title: Social Worker Certification.

(Public)

Sponsors: Senator Lee.

Referred to: Human Resources.

April 18, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR MANDATORY CERTIFICATION OF CLINICAL
SOCIAL WORKERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90B-3 reads as rewritten:

"§ 90B-3. Definitions.

(a) 'Board' means the North Carolina Certification Board for Social Work.

(b) 'Social worker' is a person engaging in the public practice of social work who is not a Certified Social Worker, Certified Master Social Worker, Certified Clinical Social Worker or Certified Social Work Manager, as defined in this Chapter.

(c) A person is engaged in the 'public practice of social work' who holds himself or herself out to the public as a social worker and who offers to perform or does perform for other persons, services which involve the application of social work values, principles and techniques in areas such as social work services, consultation and administration, and social work planning and research.

(d) 'Certified Social Worker,' 'Certified Master Social Worker,' ~~'Certified Clinical Social Worker,'~~ 'Certified Social Work Manager' means a person who is engaged in the practice of social work and who is certified under subparagraphs (b), (c), ~~(d)~~ and (e), respectively, of G.S. 90B-7.

(e) 'Clinical Social Work Practice' means the professional application of social work theory and methods to the diagnosis, treatment, or prevention of biopsychosocial dysfunction, including emotional and mental disorders. Practice methods include treatment of individuals, couples, families, and groups. Clinical social work practice

1 shall not include the provision of supportive daily living services to persons with severe
2 and persistent mental illness as defined in G.S. 122C-3(33a).

3 (f) 'Certified Clinical Social Worker' means a person, competent to function
4 independently, who holds himself or herself out to the public as a social worker and
5 who offers or provides clinical social work services or supervises others engaging in
6 such practice."

7 Sec. 2. G.S. 90B-4 reads as rewritten:

8 **"§ 90B-4. Prohibitions.**

9 (a) After January 1, 1984, except Except as otherwise provided in this Chapter, it is
10 unlawful for any person who is not certified as a certified social worker, certified master
11 social worker, or certified social work manager under this Chapter, to represent himself
12 or herself to be so certified under this Chapter or hold himself or herself out to the
13 public by any title or description denoting that he or she is so certified under this
14 Chapter. After January 1, 1992, except as otherwise provided in this Chapter, it is
15 unlawful to engage in or offer to engage in the practice of clinical social work without
16 first obtaining a temporary certificate of clinical social work in accordance with the
17 provisions of this Chapter.

18 Nothing herein shall prohibit school social workers who are certified by the State
19 Board of Education from practicing school social work under the title 'Certified School
20 Social Worker.' Except as provided for certified clinical social workers, Nothing
21 nothing herein shall be construed as prohibiting social workers who are not certified by
22 the North Carolina Certification Board for Social Work from practicing social work.
23 Notwithstanding any other provision of law, Except as provided herein for certified clinical
24 social workers, no agency, institution, board, commission, bureau, department, division,
25 council, member of the Council of State, or officer of the legislative, executive or
26 judicial branches of State government or counties, cities, towns, villages, other
27 municipal corporations, political subdivisions of the State, public authorities, private
28 corporations created by act of the General Assembly or any firm or corporation
29 receiving State funds shall require the obtaining or holding of any certificate issued
30 under this Chapter or the taking of an examination held pursuant to this Chapter as a
31 requirement for obtaining or continuing in employment."

32 Sec. 3. G.S. 90B-5 reads as rewritten:

33 **"§ 90B-5. North Carolina Certification Board for Social Work; appointments;**
34 **terms; composition.**

35 For the purpose of carrying out the provisions of this Chapter, there is hereby
36 created the North Carolina Certification Board for Social Work which shall consist of
37 seven members appointed by the Governor in the manner hereinafter prescribed. The
38 Governor may remove any member of the Board for neglect of duty or malfeasance or
39 conviction of a felony or other crime of moral turpitude, but for no other reason.

40 (1) At least two members of the Board shall be Certified Social Workers
41 except that initial appointees shall be persons who meet the
42 educational and experience requirements for certification as Certified
43 Social Workers under the provisions of this Chapter; Workers or
44 Certified Master Social Workers; ~~two~~ three members shall be

1 Certified Clinical Social Workers except that initial appointees shall be
 2 persons who meet the educational and experience requirements for
 3 certification as Certified Clinical Social Workers under the provisions
 4 of this Chapter; and ~~three-two~~ members shall be appointed from the
 5 public at large. Composition of the Board as to the race and sex of its
 6 members shall reflect the composition of the population of the State of
 7 North Carolina.

- 8 (2) At all times the Board shall include at least one member primarily
 9 engaged in social work education, at least one member primarily
 10 engaged in social work in the public sector, and at least one member
 11 primarily engaged in social work in the private sector.
- 12 (3) All members of the Board shall be residents of the State of North
 13 Carolina, and ~~after the establishment of the initial Board, all members,~~ with
 14 the exception of the public members, shall be certified by the Board
 15 under the provisions of this Chapter. Professional members of the
 16 Board must be actively engaged in the practice of social work or in the
 17 education and training of students in social work, and have been for at
 18 least three years prior to their appointment to the Board. Such activity
 19 during the two years preceding the appointment shall have occurred
 20 primarily in this State.
- 21 (4) The term of office of each member of the Board shall be three years;
 22 ~~provided, however, that of the members first appointed, three shall be~~
 23 ~~appointed for terms of one year, two for terms of two years, and two~~
 24 ~~for terms of three years.~~ years. No member shall serve more than two
 25 consecutive three-year terms.
- 26 (5) Each term of service on the Board shall expire on the 30th day of June
 27 of the year in which the term expires. As the term of a member
 28 expires, the Governor shall make the appointment for a full term, or, if
 29 a vacancy occurs for any other reason, for the remainder of the
 30 unexpired term.
- 31 (6) Members of the Board shall receive compensation for their services
 32 and reimbursement for expenses incurred in the performance of duties
 33 required by this Chapter, at the rates prescribed in G.S. 93B-5.
- 34 (7) The Board may employ, subject to the provisions of Chapter 126 of the
 35 General Statutes, the necessary personnel for the performance of its
 36 functions, and fix their compensation within the limits of funds
 37 available to the Board."

38 Sec. 4. G.S. 90B-7 reads as rewritten:

39 **"§ 90B-7. Titles and qualifications for certificates.**

40 (a) Each person desiring to obtain a certificate from the Board shall make
 41 application to the Board upon such forms and in such manner as the Board shall
 42 prescribe, together with the required application fee established by the Board.

43 (b) The Board shall issue a certificate as 'Certified Social Worker' to an applicant
 44 who:

1 (1) Has a bachelor's degree in a social work program from a college or
2 university having a social work program accredited or admitted to
3 candidacy for accreditation by the Council on Social Work Education
4 for undergraduate curricula or has a bachelor's degree in a subject area
5 related to human services and has completed a minimum of 18
6 semester hours of social work training in a social work program
7 accredited or admitted to candidacy for accreditation by the Council on
8 Social Work Education; and

9 (2) Has passed the Board examination for the certification of persons in
10 this classification.

11 (c) The Board shall issue a certificate as 'Certified Master Social Worker' to an
12 applicant who:

13 (1) Has a master's or doctor's degree in a social work program from a
14 college or university having a social work program approved by the
15 Council on Social Work Education; and

16 (2) Has passed the Board examination for the certification of persons in
17 this classification.

18 (d) The Board shall issue a certificate as a 'Certified Clinical Social Worker' to
19 an applicant who:

20 (1) Holds or qualifies for a current certificate as a Certified Master Social
21 Worker; and

22 (2) Shows to the satisfaction of the Board that he or she has had two years
23 of clinical social work experience ~~in a clinical setting~~ with appropriate
24 supervision in the field of specialization in which the applicant will
25 practice; and

26 (3) Has passed the Board examination for the certification of persons in
27 this classification.

28 (e) The Board shall issue a certificate as a 'Certified Social Work Manager' to an
29 applicant who:

30 (1) Holds or qualifies for a current certificate as a Certified Social Worker;
31 and

32 (2) Shows to the satisfaction of the Board that he or she has had two years
33 of experience in an administrative setting with appropriate supervision
34 and training; and

35 (3) Has passed the Board examination for the certification of persons in
36 this classification.

37 (f) A Clinical Social Worker who meets all the requirements of subsection (d) of
38 this section for certification, except the two years of acceptable and appropriate clinical
39 experience, may be issued a temporary certificate in clinical social work for a period not
40 exceeding two years, provided he or she practices under the supervision of a certified
41 Clinical Social Worker or Board-approved alternate."

42 Sec. 5. G.S. 90B-10 reads as rewritten:

43 "**§ 90B-10. Exemption from ~~academic qualifications~~. certain requirements.**

1 (a) Applicants who were engaged in the practice of social work before January 1,
2 1984, shall be exempt from the academic qualifications required by this act for Certified
3 Social Workers and Certified Social Work Managers and shall be certified upon passing
4 the Board examination and meeting the experience requirements, if any, for certification
5 of persons in that classification.

6 (b) An applicant who has engaged in the practice of clinical social work for one
7 year prior to the effective date of this act may be certified as a Clinical Social Worker
8 without meeting the requirements of G.S. 90B-7(d) upon application to the Board within
9 one year after the effective date of this act.

10 (c) A student pursuing a course of study in social work in an institution
11 accredited by or in candidacy status with the Council on Social Work Education may
12 engage in the practice of clinical social work without being certified while completing a
13 clinical requirement for graduation."

14 Sec. 6. This act becomes effective January 1, 1992, provided that the North
15 Carolina Certification Board for Social Work may, on or after the effective date of this
16 act, adopt rules to implement the provisions of this act. The term of the additional
17 Board position for Clinical Social Worker created by this act shall commence upon the
18 expiration of the term of the public member whose term expires first.