

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 694*
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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 psychosocial diagnosis, treatment, or prevention of emotional and mental disorders. Practice includes the treatment of individuals, couples, families, and groups, including the use of psychotherapy and referrals to and

1 collaboration with other health professionals when appropriate. Clinical social work
2 practice shall not include the provision of supportive daily living services to persons
3 with severe and persistent mental illness as defined in G.S. 122C-3(33a).

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

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

9 **"§ 90B-4. Prohibitions.**

10 (a) ~~After January 1, 1984, except~~ Except as otherwise provided in this Chapter, it is
11 unlawful for any person who is not certified as a certified social worker, certified master
12 social worker, or certified social work manager under this Chapter, to represent himself
13 or herself to be so certified under this Chapter or hold himself or herself out to the
14 public by any title or description denoting that he or she is so certified under this
15 Chapter. After January 1, 1992, except as otherwise provided in this Chapter, it is
16 unlawful to engage in or offer to engage in the practice of clinical social work without
17 first obtaining a temporary certificate of clinical social work in accordance with the
18 provisions of this Chapter. Nothing in this Chapter shall be construed to authorize or
19 require direct third-party reimbursement to persons certified under this Chapter. Any
20 proposed substantive changes to G.S. 90B-3, G.S. 90B-4, G.S. 90B-5, G.S. 90B-7 or
21 G.S. 90B-10 shall be reviewed and approved by by the Legislative Committee on New
22 Licensing Boards pursuant to Article 18A of Chapter 120 of the General Statutes.

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

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

38 **"§ 90B-5. North Carolina Certification Board for Social Work; appointments;**
39 **terms; composition.**

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

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

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

44 "**§ 90B-7. Titles and qualifications for certificates.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (f) A Clinical Social Worker who meets all the requirements of subsection (d) of
43 this section for certification, except the two years of acceptable and appropriate clinical
44 experience, may be issued a temporary certificate in clinical social work for a period not

1 exceeding two years, provided he or she practices under the supervision of a certified
2 Clinical Social Worker or Board-approved alternate."

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

4 **"§ 90B-10. Exemption from ~~academic qualifications.~~ certain requirements.**

5 (a) Applicants who were engaged in the practice of social work before January 1,
6 1984, shall be exempt from the academic qualifications required by this act for Certified
7 Social Workers and Certified Social Work Managers and shall be certified upon passing
8 the Board examination and meeting the experience requirements, if any, for certification
9 of persons in that classification.

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

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

18 (d) A clinical social worker may engage in the practice of clinical social work
19 without being certified in accordance with this Chapter if solely employed by a hospital
20 or health care facility licensed pursuant to either G.S. 122C, Article 2 or G.S. 131E,
21 Articles 5 and 6."

22 This act becomes effective January 1, 1993 provided that until January 1,
23 1998, a clinical social worker may engage in the practice of clinical social work without
24 being certified in accordance with this Chapter if solely employed by the State of North
25 Carolina or any local government in the State. The North Carolina Certification Board
26 for Social Work shall adopt rules to implement the provisions of this act. The term of
27 the additional Board position for Clinical Social Worker created by this act shall
28 commence upon the expiration of the term of the public member whose term expires
29 first.