**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**416 BOARD OF SOCIAL WORKER LICENSURE**

**Chapter 13: LICENSURE**

**Summary:** This chapter contains the requirements for initial issuance and renewal of the social worker licenses issued by the board, including licensure without examination, and also provides for inactive licenses. These requirements supplement the statutory requirements for licensure contained in 32 M.R.S. §§ 7053(3) and 7060.

**1. Licensed Social Worker - Conditional**

 **1. Initial Issuance**

 A. Documented proof of a bachelor’s degree in a field that is sufficiently related to social work or social welfare;

 B. Evidence of employment in a social service delivery field; and

 C. **Arrangement of consultation -**

 (1) For persons other than employees of the Department of Health and Human Services, evidence of an arrangement of consultation to be provided by a licensed social worker with a bachelor’s degree in social work or social welfare with at least 2 years of experience as a licensed social worker, a licensed master social worker, a licensed clinical social worker, or a certified social worker - independent practice, for the consultation required by section 2(1)(B) of this chapter.

 (2) For employees of the Department of Health and Human Services, evidence of an arrangement of consultation with a licensed social worker who has been licensed for at least 4 years or a licensed master social worker.

 **2. Renewal**

 A. Completion of 25 continuing professional education contact hours as required by Chapter 14 of the board’s rules.

 B. A licensed social worker-conditional license may be renewed one time only so as to allow the licensee the opportunity to obtain the consultation and employment required by section 2(1)(B)(2) of this chapter for licensure as a licensed social worker.

**2. Licensed Social Worker**

 **1. Initial Issuance**

 A candidate for licensure must satisfy the requirements of either paragraph A or B below.

 A. **Graduate of accredited program** -

1. Documented proof of a bachelor’s degree in social work or social welfare from an accredited program; and
2. Proof of a passing score on the ASWB Bachelor examination.

 OR

 B. **Conditional licensee -**

 (1) An active social worker-conditional license issued by the board pursuant to section 1 of this chapter;

 (2) **Completion of consultation by conditional licensees -**

 (a) For persons other than employees of the Department of Health and Human Services, evidence of successful completion of 96 hours of consultation provided by a licensed social worker with a bachelor’s degree in social work or social welfare who has completed the licensed social worker consultation required by section 2(3) of this chapter, a licensed master social worker, a licensed clinical social worker, or a certified social worker - independent practice. This consultation-

 (i) Must be completed while licensed and concurrently with 3,200 hours of social work employment occurring within a period of not less than 2 years nor more than 4 years; and

 (ii) May be completed in-person, or via live, synchronous video technology, or any combination thereof, and may be completed either individually or in a group of not more than eight (8) members. Audio-only technology is not permitted.

 As used in this subparagraph, “social work employment” consists entirely of work that is compensated financially.

 (b) For employees of the Department of Health and Human Services whose conditional license was originally issued on or after January 1, 2004, evidence of successful completion of 96 hours of consultation with a licensed social worker who has been licensed for at least 4 years, or a licensed master social worker, concurrently with the first 3,200 hours of social work employment occurring within a period of not less than 2 years nor more than 4 years. For employees of the Department of Health and Human Services whose conditional license was originally issued prior to January 1, 2004, evidence of successful completion of consultation in a manner prescribed by that department.

 (3) Proof of a passing score on the ASWB Bachelor examination.

 (4) If the licensee holds the licensed social worker-conditional license, completion of 25 continuing professional education contact hours as required by Chapter 14 of the board’s rules.

 **2. Renewal**

 Completion of 25 continuing professional education contact hours as required by Chapter 14 of the board’s rules.

 **3. Arrangement and Completion of Licensed Social Worker Consultation**

 A. Upon the commencement of employment as a licensed social worker, the licensee shall provide the board with evidence of an arrangement of consultation as follows:

 (1) For persons other than employees of the Department of Health and Human Services or health care facilities licensed by the Department of Health and Human Services, the consultant must be a licensed master social worker, a licensed clinical social worker, or a certified social worker - independent practice.

 (2) For employees of the Department of Health and Human Services, the consultant must be a licensed social worker who has been licensed for at least 4 years; a licensed master social worker; or a licensed social worker who has been licensed for at least 2 years, has been designated by that department as a supervisor trainee, and is concurrently receiving 48 hours of consultation with a licensed master social worker.

 B. The licensed social worker must successfully complete the consultation as follows:

 (1) Persons other than employees of the Department of Health and Human Services must provide documentation of 96 hours of consultation completed while licensed and during the first 3,200 hours of social work employment in a period of not less than 2 years nor more than 4 years. Consultation may be completed in-person, or via live, synchronous video technology, or any combination thereof, and may be completed either individually or in a group of not more than eight (8) members. Audio-only technology is not permitted.

 As used in this subparagraph, “social work employment” consists entirely of work that is compensated financially.

 (2) Employees of the Department of Health and Human Services must provide documentation of 96 hours of consultation completed while licensed and during the first 3,200 hours of social work employment in a period of not less than 2 years nor more than 4 years. The consultant must be a licensed social worker who has been licensed for at least 4 years; a licensed master social worker; or a licensed social worker who has been licensed for at least 2 years, has been designated by that department as a supervisor trainee, and who is concurrently receiving 48 hours of consultation with a licensed master social worker.

 A licensed social worker who has provided the board with evidence of an arrangement of consultation shall report the number of hours worked and number of consultation hours received at each license renewal until the consultation is completed. If the licensee fails to complete 3,200 hours of social work employment and 96 hours of consultation in a period of 4 years, the license is subject to revocation and will not be further renewed.

**3. Licensed Master Social Worker**

 **1. Initial Issuance**

 A. Documented proof of a master’s or doctoral degree in social work or social welfare from an accredited program;

 B. Proof of a passing score on the ASWB Master examination.

 C. If the licensee holds the licensed social worker license, completion of 25 continuing professional education contact hours as required by Chapter 14 of the board's rules.

 **2. Renewal**

 Completion of 25 continuing professional education contact hours as required by Chapter 14 of the board's rules.

**4. Licensed Master Social Worker Conditional (Clinical)**

 **1. Initial Issuance**

 A. Documented proof of a master’s or doctoral degree in social work or social welfare from an accredited program;

 B. Proof of a passing score on the ASWB Master examination; and

 C. Documentation of intent to provide the clinical social work experience described in section 5(1)(D) of this chapter, signed by licensed clinical social worker, certified social worker - independent practice, licensed clinical professional counselor, licensed marriage and family therapist, licensed psychologist, licensed psychiatrist, or similarly-credentialed licensee in any of the aforementioned professions from any state or country engaged as the consultant.

 D. If the licensee holds the licensed social worker or licensed master social worker license, completion of 25 continuing professional education contact hours as required by Chapter 14 of the board’s rules.

 **2. Renewal**

 A. Completion of 25 continuing professional education contact hours as required by Chapter 14 of the board’s rules.

 B. Evidence of successful completion of 4 consultation hours as described in section 5(1)(D) of this chapter for each month of actual clinical practice or part thereof engaged in by the licensee during the preceding license term, signed by the licensed clinical social worker, certified social worker - independent practice, licensed clinical professional counselor, licensed marriage and family therapist, licensed psychologist, licensed psychiatrist, or similarly-credentialed licensee in any of the aforementioned professions from any state or country who served as consultant.

 C. The holder of a master social worker - conditional (clinical) may renew that license indefinitely without applying for the LCSW so long as the contact hour and consultation requirements of this subsection are met each renewal cycle.

**5. Licensed Clinical Social Worker**

 **1. Initial Issuance**

 A. Documented proof of a doctoral or master’s degree in social work or social welfare from an accredited program;

 B. An active master social worker - conditional (clinical) license issued by the board;

 C. Proof of a passing score on the ASWB Clinical examination;

 D. Evidence of successful completion of clinical social work experience while licensed as a licensed master social worker conditional (clinical) through consultation with a licensed clinical social worker, certified social worker - independent practice, licensed clinical professional counselor, licensed marriage and family therapist, licensed psychologist, licensed psychiatrist, or similarly-credentialed licensee in any of the aforementioned professions from any state or country who served as consultant. The clinical social work experience consists of:

 (1) Clinical social work practice which encompasses interventions directed to interpersonal interactions, intrapsychic dynamics and life-support and management issues, including but not limited to individual, couples, family and group psychotherapy;

 (2) For applicants whose master’s degrees in social work are in clinical concentrations, 96 hours of consultation concurrent with 3,200 hours of social work employment occurring within a period of not less than 2 years. Consultation may be completed in-person, or via live, synchronous video technology, or any combination thereof. Audio-only technology is not permitted. 72 hours must be completed through individual consultation, and the remaining 24 hours may be completed in a group of not more than eight (8) members;

 (3) For applicants whose master’s degrees in social work are in nonclinical concentrations, 192 hours of consultation while licensed and concurrent with 6,400 hours of social work employment occurring within a period of not less than 4 years. Consultation may be completed in person, or via live, synchronous video technology, or any combination thereof. Audio-only technology is not permitted. 144 hours must be completed through individual consultation, and the remaining 48 hours may be completed in a group of not more than eight (8) members.

 (4) As part of the foregoing consultation, regular, systematic discussion and evaluation of cases, focusing on data, goals, ethics, and objectives of specific social work practice; and

 (5) Documentation of the clinical supervision provided.

 No less than 50% of the hours of consultation and social work employment described in this paragraph must have been completed within the 4 years immediately preceding application for licensure as a licensed clinical social worker.

 Credit for consultation experience will only be given to practice in clinical settings such as organized public or private agencies, schools, institutions or other organizations which provide opportunities for contact with other professional disciplines and work experience with broad ranges of clients. Credit will not be given for private or self-employed practice.

 For purposes of this level of licensure, "social work employment" consists entirely of work that is compensated financially.

 E. Completion of 25 continuing professional education contact hours as required by Chapter 14 of the board's rules.

 **2. Partial Waiver of Clinical Experience and Consultation in Connection with Initial Licensure**

 The board may waive up to 1 year of the clinical experience and consultation required for initial licensure pursuant to section 5(1)(D) of this chapter for a candidate who demonstrates to the satisfaction of the board lawful equivalent clinical experience and consultation that occurred prior to the applicant's receipt of the master’s degree in social work.

 **3. Waiver of Clinical Experience and Consultation Completed in Another State**

 For purposes of this section, the board may recognize clinical experience and consultation completed in another state following a candidate's receipt of the master’s degree in social work or social welfare that is substantially equivalent to the clinical experience and consultation required by section 5(1)(D) of this chapter.

 **4. Renewal**

 Completion of 25 continuing professional education contact hours as required by Chapter 14 of the board’s rules.

**6. Certified Social Worker - Independent Practice**

1. **Initial Issuance**

 This license is issued on a renewal basis only.

 2. **Renewal**

 Completion of 25 continued professional education contact hours as required by Chapter 14 of the board’s rules.

**7. Change in Consultancy**

 Both the consultant social worker and the consultee shall promptly notify the board within 10 days of the termination of a consultancy prior to full completion. The consultee shall immediately engage a replacement consultant and provide evidence of the new arrangement for consultation to the board as soon as practicable but no later than 10 days of the date of the agreement to provide consultation.

**8. Licensure Without Examination**

1. An individual applying for a license without examination pursuant to 32 M.R.S. §7054-A must submit a complete application on a form provided by the Board, submit any fee required by Chapter 10 of the Rules of the Office of Professional and Occupational Regulation, and meet the following requirements:

1. **Proof of License from Another Jurisdiction of the United States or Foreign Country**

 An applicant must have an active equivalent social work license issued by a jurisdiction of the United States or of any foreign country.

1. **Evidence of Meeting Education and Experience Requirements**

(1) An applicant must supply documentation of the education and experience requirements of 32 M.R.S. §7053 and of this chapter for the level of licensure for which the applicant is applying.

 (2) The board may recognize clinical experience and consultation completed in another state or jurisdiction following a candidate's receipt of the master’s degree in social work or social welfare that is substantially equivalent to the clinical experience and consultation required by Section 5(1)(D) of this chapter.

(3) Notwithstanding any provision to the contrary, an applicant applying under this subsection does not need to demonstrate proof of passing the applicable examination.

2. **Applicants Licensed via Grandparenting in Home State**

 The board may deny an application for licensure without examination when the applicant's social work license in the jurisdiction of origin was obtained by way of reciprocity or grandparenting and the qualifications of the applicant do not meet the requirements of these rules and 32 M.R.S. §7053.

**9. Inactive Status**

1. **Initial Issuance**

A licensee may apply for an inactive status license pursuant to 32 M.R.S. §7060. If a licensee applies for an inactive status license during the 3 months prior to the expiration date of the licensee’s active license, the licensee shall demonstrate compliance with the continuing education requirements in Chapter 14 of the board’s rules. The board may refuse to issue an inactive status license to a licensee who fails to demonstrate such compliance, or who is otherwise ineligible for renewal of an active license.

2. **Prohibition against Practice**

A licensee with an inactive status license shall not practice social work in the State of Maine.

3. **Continuing Education**

A licensee with an inactive status license need not comply with the continuing professional education requirement set forth in Chapter 14 of the board’s rules. However, in order to return to active status, a licensee shall obtain continuing professional education contact hours as set forth in subsection 5.

4. **Renewal**

To maintain inactive status, a licensee must renew an inactive status license by:

1. Submitting a renewal application;
2. Paying the license fee set forth in Chapter 10 of the rules of the Office of Professional and Occupational Regulation; and
3. Providing such other information as the board may require.

5. **Reinstatement to Active Status License**

A licensee with an inactive status license may return to active status by submitting an application to the board, paying the required license fee, and certifying to compliance with the continuing education requirements in Chapter 14 of the board’s rules during the two-year period prior to application. In the event that a licensee applies to return to active status in less than one year, the licensee may satisfy the continuing professional education requirement by providing evidence of having met the requirement for the most recent renewal cycle.

STATUTORY AUTHORITY:

 32 M.R.S. §§ 7030(2), 7053, 7057 and 7060

EFFECTIVE DATE:

 August 3, 2004 - filing 2004-312

NON-SUBSTANTIVE CORRECTIONS:

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