

CURRENT PROPOSED RULE CH. 13

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; or,
- B. Proof of a passing score on the ASWB Master examination; and
- C. Documentation of intent to provide the clinical internship described in section 5(1)(D) of this chapter, 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 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 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 , or similarly-credentialed licensee 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:

A. 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.

B. Evidence of Meeting Education and Experience Requirements

(1) An applicant must supply documentation 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:

- A. Submitting a renewal application;
- B. Paying the license fee set forth in Chapter 10 of the rules of the Office of Professional and Occupational Regulation; and
- C. 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:

**REDLINE DEMONSTRATING ALL PROPOSED CHANGES
FROM CURRENT RULE**

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~~by reciprocity~~, and also provides for inactive licenses.

~~[NOTE:~~ These requirements supplement the statutory requirements for licensure contained in 32 M.R.S.~~A.~~ §§ 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. Three letters of professional recommendation written within 1 year of receipt by the board, two of which are to be provided by licensed social workers, licensed master social workers, licensed clinical social workers, certified social workers-independent practice, or similarly credentialed social workers from any state or country;~~

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

~~D.~~ **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.

~~[NOTE: Renewal of conditional social worker licenses originally issued prior to September 13, 2003 occurring on or after April 7, 2004 is governed by P&SL 2003, c. 41, An Act to Provide for a Limited Transition Provision for Renewal of Certain Social Worker Licenses.]~~

2. Licensed Social Worker

1. Initial Issuance

A candidate for licensure must satisfy the requirements of either paragraph A or B below, ~~and paragraphs C-E below.~~

A. Graduate of accredited program-

~~(1)~~ _____ ~~(1)~~ Documented proof of a bachelor's degree in social work or social welfare from an accredited program; and

~~(1)(2)~~ Proof of a passing score on the ASWB Bachelor examination.

OR

B. Conditional licensee-

(1) An active social worker-conditional license ~~(licensed social worker conditional)~~ 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~~LSW~~ 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.~~May be completed in person, through televideo, or through audio-only technology, or any combination thereof, and may be completed through individual consultation or in a group of not more than 8 members. Must include at least 72 hours of face-to-face consultation either individually or in a group of not more than 8 members. The remaining 24 hours may be completed by videoconference but not by telephone or any other audio-only technology.~~

As used in this subparagraph, "social work employment" consists entirely of work that is compensated financially, at least 90% paid employment. The remaining 10% may consist of paid employment or volunteer work. Each social work employment experience, whether paid employment or volunteer work, must be accompanied by a proportionate amount of the 96 hours of consultation required for licensure.

- (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.

~~C. Three letters of professional recommendation written within 1 year of receipt by the board, two of which are to be provided by licensed social workers, licensed master social workers, licensed clinical social workers, certified social workers-independent practice, or similarly credentialed social workers from any state or country. If the applicant is conditionally licensed as a social worker, 1 recommendation, except in extenuating circumstances, must be from the consultant to the applicant's conditional license;~~

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

~~(4)E.~~ If the licensee holds previously held 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 LSW 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. Consultation may be completed in person, through televideo, or through audio-only technology, or any combination thereof, and may be completed through individual consultation or in a group of not more than 8 members. Consultation must include at least 72 hours of face-to-face consultation either individually or in a group of not more than 8 members. The remaining 24 hours may be completed by videoconference but not by telephone or any other audio-only technology.
- As used in this subparagraph, "social work employment" consists entirely of work that is (rendered for renumeration)-compensated financially, at least 90% paid employment. The remaining 10% may consist of paid employment or volunteer work. Each social work employment experience, whether paid employment or volunteer work, must be accompanied by a proportionate amount of the 96 hours of consultation required for licensure.
- (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.

~~[NOTE: Renewal of licensed social worker licenses originally issued prior to September 13, 2003 occurring on or after April 7, 2004 is governed by P&SL 2003, c. 41, An Act to Provide for a Limited Transition Provision for Renewal of Certain Social Worker Licenses.]~~

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; ~~or, until June 30, 2005, from a program in candidacy for accreditation;~~
- ~~B. Three letters of professional recommendation written within 1 year of receipt by the board, 2 of which are to be provided by licensed master social workers, licensed clinical social workers, certified social workers— independent practice, or similarly credentialed social workers from any state or country; and~~
- ~~C. Proof of a passing score on the ASWB Master Intermediate examination.~~
- ~~D. If the licensee holds previously held 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; or, ~~until June 30, 2005, from a program in candidacy for accreditation;~~
- ~~B.~~ ~~Three letters of professional recommendation written within 1 year of receipt by the board, 2 of which are to be provided by licensed master social workers, licensed clinical social workers, certified social workers— independent practice, or similarly credentialed social workers from any state or country;~~
- ~~EB.~~ Proof of a passing score on the ASWB ~~Master Intermediate~~ examination; and
- ~~DC.~~ Documentation of intent to provide the clinical internship described in section 5(1)(D) of this chapter, 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, certified social worker— independent practice,~~ or similarly-credentialed ~~social worker~~ licensee from any state or country engaged as the consultant.
- ~~ED.~~ If the licensee ~~holds previously held~~ 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 certified social worker— independent practice,~~ or similarly-credentialed social worker licensee from any state or country who served as consultant.
- C. The holder of a ~~LMSW 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 valid LMSW—master social worker – conditional ~~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 ~~a clinical internship~~ 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 certified social worker— independent practice, or similarly-credentialed social worker licensee from any state or country who served as consultant. The clinical social work experience ~~internship~~ 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 MSWs 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. At least 72 consultation hours must be individual, face to face consultation. The remaining 24 consultation hours may be completed in group or by videoconference but not by telephone or any other audio-only technology;
 - (3) For applicants whose MSWs 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 through video or audio-only 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. and may be completed through individual consultation or in a group of not more than 8 members. At least 144 consultation hours must be individual, face to face consultation. The remaining 48 consultation hours may be completed in group or by videoconference but not by telephone or any other audio-only technology;
 - (4) As part of the foregoing consultation, regular, systematic discussion and evaluation of cases, focusing on ~~raw~~ 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 ~~with formal or informal affiliations of licensees or self-employed licensees.~~

For purposes of this level of licensure, "social work employment" consists entirely of work that is compensated financially. at least 90% paid employment. ~~The remaining 10% may consist of paid employment, volunteer work or work as an independent contractor. Each social work employment experience, whether paid employment, volunteer work, or work as an independent contractor, must be accompanied by a proportionate amount of the 96 or 192 hours of consultation required for licensure.~~

~~E.~~ ~~Three letters of professional recommendation written within 1 year of receipt by the board. Except in extenuating circumstances, 1 recommendation must be provided by the applicant's consultant. The second recommendation must be provided by a licensed master social worker, licensed clinical social worker, certified social worker— independent practice, or similarly credentialed social worker from any state or country. The third recommendation must be provided by a licensed master social worker, licensed clinical social worker, or certified social worker— independent practice; by a board-certified psychiatrist, licensed clinical psychologist, licensed clinical professional counselor or certified psychiatric clinical nurse specialist; or by a similarly credentialed professional from any state or country.~~

~~FE.~~ 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 upon the termination of a consultancy ~~or clinical internship~~ prior to full completion. The consultee ~~or intern~~ shall immediately engage a replacement consultant and immediately 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:

A. **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.

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

(1) An applicant must supply documentation 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.

~~3. Letters of Recommendation~~

~~The letters of recommendation required by this chapter for the category of license applied for;~~

~~42. Report of Adverse Disciplinary Action and Pending Complaints~~

~~A statement describing any adverse disciplinary action and pending complaints against any professional license held by the applicant in any jurisdiction; and~~

~~5. Statute and Rules~~

~~The statutes and rules governing eligibility for social work licensure in the jurisdiction of origin that were in effect at the time the applicant was licensed in the jurisdiction of origin.~~

~~[NOTE: The board will publish from time to time a list of jurisdictions whose licenses it recognizes as equivalent to the Maine categories of licensed social worker, licensed master social worker and licensed clinical social worker. Applicants for licensure by reciprocity from these jurisdictions will not need to submit statutes and rules.]~~

~~642. Applicants Licensed via Grandparenting in Home State~~

The board may deny an application for licensure without examination ~~by reciprocity~~ 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.~~A.~~ §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 ~~25 contact hours of continuing professional education required for that active license term~~ 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. ~~Annual~~ Renewal

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

- A. Submitting a renewal application;
- B. Paying the license fee set forth in Chapter 10, ~~Section 5(37)~~ of the rules of the Office of Professional and Occupational Regulation, ~~entitled "Establishment of License Fees;"~~ and
- C. 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 completion of 25 contact hours of continuing professional education during the two-year period prior to application, ~~in accordance with the requirements for nature and amount of contact hours set forth in Chapter 14 of the board's rules.~~ 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. ~~A~~ §§ 7030(2), 7053, 7057 and 7060; **PS&L 2003, c. 41**

EFFECTIVE DATE:

~~August 3, 2004—filing 2004-312~~

~~NON-SUBSTANTIVE CORRECTIONS:~~

~~September 12, 2004—indentions only~~

~~AMENDED:~~

~~January 25, 2016—Section 9 (Inactive Status), filing 2016-007~~

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, through televideo, or through audio-only technology, or any combination thereof, and may be completed through individual consultation or in a group of not more than 8 members.

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, through televideo, or through audio-only technology, or any combination thereof, and may be completed through individual consultation or in a group of not more than 8 members.

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; or,
- B. Proof of a passing score on the ASWB Master examination; and
- C. Documentation of intent to provide the clinical internship described in section 5(1)(D) of this chapter, signed by the licensed clinical social worker, licensed clinical professional counselor, certified social worker - independent practice, or similarly-credentialed social worker 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, licensed clinical professional counselor, or certified social worker - independent practice, or similarly-credentialed social worker 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, licensed clinical professional counselor, or certified social worker - independent practice, or similarly-credentialed social worker 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. At least 72 consultation hours must be individual, face-to-face consultation. The remaining 24 consultation hours may be completed in group or by videoconference but not by telephone or any other audio-only technology;

- (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, through video or audio-only technology, or any combination thereof, and may be completed through individual consultation or in a group of not more than 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:

A. 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.

B. Evidence of Meeting Education and Experience Requirements

- (1) An applicant must supply documentation 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:

- A. Submitting a renewal application;
- B. Paying the license fee set forth in Chapter 10 of the rules of the Office of Professional and Occupational Regulation; and
- C. 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:

Rulemaking Fact Sheet

(5 MRS §8057-A)

AGENCY: 02-416, Department of Professional and Financial Regulation, Board of Social Worker Licensure

NAME, ADDRESS, PHONE NUMBER, EMAIL OF AGENCY CONTACT PERSON: Kristina M. Halvorsen, 35 State House Station, Augusta, ME 04333, 207-624-8420, TTY: Maine relay 711, Kristina.M.Halvorsen@maine.gov.

CHAPTER NUMBER AND RULE TITLE:

Chapter 13: Licensure

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

STATUTORY AUTHORITY: 32 M.R.S. §§ 7030(2), 7053 and 7060.

DATE, TIME AND PLACE OF PUBLIC HEARING: N/A. Pursuant to 5 M.R.S. § 8052(1) and § 8053(3)(B), a hearing may be requested by five (5) interested persons by submitting a request in writing to contact person for this filing.

COMMENT DEADLINE: Friday, July 29, 2022, at 5:00 p.m. Submit comments to Kristina M. Halvorsen, 35 State House Station, Augusta, ME 04333, Kristina.M.Halvorsen@maine.gov

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE:

The principal reason for this proposed rulemaking is to incorporate changes to the rule that was advertised for notice and comment on April 20, 2022, in response to comments received from the public.

The proposed changes add to the categories of licensees that may serve as consultants for a licensed master social worker conditional (clinical) licensee to satisfy the requirement of hours needed to obtain the licensed clinical social worker level of license. The rule would expand the categories of acceptable licensees to serve as consultants to include licensed marriage and family therapists, licensed psychologists, licensed psychiatrists, or any similarly-credentialed licensee from any state or country.

The proposed changes would also clarify the board's intent that the hours of consultation required for either (i) an active social worker-conditional license applying to be a licensed social worker or (ii) a licensed master social worker conditional clinical must be either in-person, or via live, synchronous video technology, or any combination thereof, and may be completed individually or in a group of not more than eight (8) members. Audio-only technology is not permitted. For the consultation for the licensed master social worker conditional clinical level of license, a minimum of 72 of the 96 hours must be completed through individual consultation for those individuals with master's degrees in clinical concentrations and for those with degrees in nonclinical concentrations, 144 hours must be completed through individual consultation.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___YES ☒ NO

ANALYSIS AND EXPECTED OPERATION OF THE RULE: It is expected that the expansion of types of permissible licensees who may serve as consultants for certain categories of social worker licensure requiring supervised practice will increase opportunities for individuals to meet the consultation requirement.

It is anticipated that the board's clarification that hours of consultation required for (i) an active social worker-conditional license applying to be a licensed social worker or (ii) a licensed master social worker conditional clinical must be either in-person, or via live, synchronous video technology, or any combination thereof, and may be completed individually or in a group of not more than eight (8) members will ensure that the consultation is of adequate quality and will provide a meaningful and productive supervised experience for the supervisees.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE
(including up to 3 primary sources relied upon) Expertise of board members and staff.

ESTIMATED FISCAL IMPACT OF THE RULE: Minimal.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.

Notice of Agency Rulemaking Proposal

AGENCY: 02-416, Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Board of Social Worker Licensure

CHAPTER NUMBER AND TITLE:

Repeal and Replace:

Chapter 13: Licensure

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY:

The principal reason for this proposed rulemaking is to incorporate changes to the rule that was advertised for notice and comment on April 20, 2022, in response to comments received from the public.

The proposed changes add to the categories of licensees that may serve as consultants for a licensed master social worker conditional (clinical) licensee to satisfy the requirement of hours needed to obtain the licensed clinical social worker level of license. The rule would expand the categories of acceptable licensees to serve as consultants to include licensed marriage and family therapists, licensed psychologists, licensed psychiatrists, or any similarly-credentialed licensee from any state or country.

The proposed changes would also clarify the board's intent that the hours of consultation required for either (i) an active social worker-conditional license applying to be a licensed social worker or (ii) a licensed master social worker conditional clinical must be in-person, or via live, synchronous video technology, or any combination thereof, and may be completed individually or in a group of not more than eight (8) members. Audio-only technology is not permitted. For the consultation for the licensed master social worker conditional clinical level of license, a minimum of 72 of the 96 hours must be completed through individual consultation for those individuals with master's degrees in clinical concentrations and for those with degrees in nonclinical concentrations, 144 hours must be completed through individual consultation.

For a copy of the rulemaking documents, please visit the agency's website or contact Kristina M. Halvorsen, 35 State House Station, Augusta, ME 04333, 207-624-8420, TTY: Maine relay 711, Kristina.M.Halvorsen@maine.gov.

Date, time and location of PUBLIC HEARING (*if any*): N/A. Pursuant to 5 M.R.S. § 8052(1) and § 8053(3)(B), a hearing may be requested by five (5) interested persons by submitting a request in writing to contact person for this filing.

COMMENT DEADLINE: Friday, July 29, 2022, at 5:00 p.m. Submit comments to Kristina M. Halvorsen, 35 State House Station, Augusta, ME 04333, Kristina.M.Halvorsen@maine.gov

CONTACT PERSON FOR THIS FILING (*include name, mailing address, telephone, fax, TTY, email*): Kristina M. Halvorsen, 35 State House Station, Augusta, ME 04333, 207-624-8420, TTY: Maine relay 711, Kristina.M.Halvorsen@maine.gov.

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*: N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: N/A

STATUTORY AUTHORITY FOR THIS RULE: 32 M.R.S. §§ 7030(2), 7053 and 7060.

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:

AGENCY WEBSITE: <https://www.maine.gov/pfr/professionallicensing/professions/state-board-social-worker-licensure>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: kristin.racine@maine.gov

* Check one of the following two boxes.

☒ The summary provided above is for publication in both the newspaper and website notices.

☐ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____
(authorized signature)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
014	02A	4420	01	4946				

Notice of Agency Rulemaking Proposal

Additional Information for the Web *(if any)*

DETAILED SUMMARY: