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May 2009

INFORMATIONAL LETTER REGARDING LICENSURE REQUIREMENTS AS A LICENSED MASTER SOCIAL WORKER – CONDITIONAL CLINICAL (LMSW-CC)

At recent meetings, the Board of Social Worker Licensure has been discussing its statutes and rules regarding the clinical consultation requirements for LCSW licensure. In particular, the board has experienced an increased number of inquiries from Licensed Master Social Workers – Conditional Clinical licensees (LMSW-CC) seeking clarification whether certain employment opportunities and/or job descriptions qualify in meeting the clinical social work requirements.

The board is sending this letter to remind LMSW-CC licensees that the social work consultation requirements outlined in Chapter 13, Section 5 are twofold. First, licensees must show evidence that they are engaged in clinical social work practice. Second, licensees must show evidence that they are practicing in a clinical setting while concurrently receiving clinical social work supervision.

In recent months, there has been a particular focus on licensees who have been hired or approached by agencies to work as contract employees or independent contractors. Please note that private practice is prohibited for LMSW-CCs under the board's statute and rules. Generally speaking, the contracted arrangements that have been submitted to the board show that the LMSW-CC licensee, while affiliated with an agency, is indeed an independent contractor which constitutes self employment. Private practice is defined by the board as "practicing social work on a self-employed basis" which again is prohibited for LMSW-CC licensees.

In an effort to outreach to LMSW-CC licensees, the board is sending this letter to remind licensees of the requirements for clinical consultation and the scope of practice limitations of the LMSW-CC license. Below are the relevant sections of the board's rules. Should you have any questions about the requirements, please feel free to contact the board at socwkr.board@maine.gov or call (207) 624-8420.

Definition of "Private practice" – See 32 MRS §7001-A(9)
<http://www.mainelegislature.org/legis/statutes/32/title32ch83sec0.html>

Definition of "Clinical social work practice" – See Chapter 10, Section 1(5)
<http://www.maine.gov/sos/cec/rules/02/chaps02.htm#416>

Clinical setting and clinical consultation requirements – See Chapter 13, Section 5(D)
<http://www.maine.gov/sos/cec/rules/02/chaps02.htm#416>

Scope of Practice – See Chapter 15, Section 1(5)
<http://www.maine.gov/sos/cec/rules/02/chaps02.htm#416>



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