

## **Narrative Explanation for Proposed Changes to 641B NACs.**

In general, many of the change you will see are what we call "housekeeping" changes, which means tinkering with the language and / or making minor changes to existing statutory language.

### **General Provisions**

**641B.026:** Adding the definition of what a "continuing education period" is. We find that this is often confusing to licensees and hope the definition will help to clarify things.

**641B.041 – 641B.044:** Differentiating the license types that allow independent practice with those that are agency based only. This has been the practice since the inception of the Board but it was not delineated in our language.

- 641B.041 – LASW – License that is agency based and does not allow independent practice.
- 641B.042 – LCSW – License that allows for independent practice.
- 641B.043 – LISW – License that allows for independent practice.
- 641B.044 – LSW – License that is agency based and does not allow independent practice.

**641B.067:** Adding this definition of "telehealth". Definition was based on a combination of information from AB292 (2015) and the US Department of Health and Human Services (HRSA).

### **Licensing and Supervision**

**641B.090:** Changes in this statute address the following areas.

- Defining what is considered a "complete application".
- Changing language about accepting an examination from another jurisdiction to read "equivalent or higher level".

**641B.095:** Tidying up some language related to the need for a "certified" birth certificate.

**641B.105:** Changes in this statute address the following areas.

- Removed the language specifying that a licensee must pass a "two-part" examination. This was written in a number of years ago to allow for the development of a jurisprudence exam. The Interim Executive Director sent out a query to the ASWB Administrator listserv, asking how many states did a jurisprudence exam and the number was very low. Most states noted that this tended to delay the licensure process. At this time, the Board wants to remove the requirement for a second level exam.
- Changes in the names of the exams based on changes from ASWB.
- Changing the amount of time an applicant has to take their licensing test from one year to six months.
- Clarifies that a failed examination for initial licensure may be retaken ninety days after failure. This will allow an applicant to retake an exam for initial licensure one time before their application closes. Clarifies that individuals in post-graduate clinical / independent internships can take a failed exam in ninety days and then every six months thereafter.
- Allows for an individual who is restoring a license to not have to retake an exam that they have previously passed.

**641B.112:** Changes in this statute address the following areas.

- Removes the Provisional "C" license that was developed to expedite endorsement of licensure from another state. The changes in SB69 from the 2017 legislative session have removed the

five year "substantially equivalent" requirement that was in our language which means that the Provisional "C" is no longer necessary.

- Tidying up some language on application fees.

**641B.120:** The Board wishes to decrease the amount of time that an application remains open. Currently applications are open for a year and the Board is recommending that this be reduced to six months. Very few applicants go beyond six months and this will allow Board staff to reduce the number of files they are continuing to attempt to process.

**641B.124:** Tidying up the language so that it matches the new definition of telehealth.

**641B.126:** Changes in this statute address the following areas.

- The changes in SB69 from the 2017 legislative session have been incorporated into our NAC language. All the previous language is being removed.
- Requires that an applicant for endorsement has passed the appropriate examination for the level of licensure (s)he is seeking endorsement for.

**641B.150:** Increases the number of hours a clinical intern can claim for "clinical" hours from twenty-five to thirty two hours per week. The Board is aware that agencies are requiring more "direct practice" hours of their employees and this change is an acknowledgement of this. This does not change the total number of clinical hours needed (2000) nor does it allow the intern to finish their internship in less than two years.

**641B.155:** Requires internship supervisors to renew their Board training every five years. This is already the Board practice, now just putting it into our statutory language.

**641B.160:** This is providing the supervisor with the option to use telecommunication technologies for supervision three weeks out of four weeks per month. While the Board prefers that supervision be done in a face to face arena, it is aware that it is more convenient to have the option to use other ways to do supervision.

## **Continuing Education**

**641B.187:** Changes in this statute address the following areas.

- Increasing the number of CEUs required per renewal cycle in "ethics" from two for LASW / LSW and three for LCSW / LISW to four for everyone. CEU vendors have a difficult time sorting out the different requirements for the various levels of licensure, standardizing this will be simpler for everyone.
- Significant expansion in the topics that can be counted for "ethics" so that it will be easier to have CEUs considered for "ethics."
- Updating the CEU requirements for Suicide Prevention that will go into effect July 1, 2018.
- Removal of the one year grace for earning CEUs from newly graduated licensees. This grace period has been problematic for a number of reasons, (1) licensees experience a lot of confusion around CEU renewal cycles and the added one year grace period makes this even worse; (2) the Suicide Prevention CEU requirements did not have a grace period and many first time renewals were held up or denied because of the Suicide Prevention CEU requirements; and (3) it allows a new licensee to essentially go up to three years before they start earning CEUs. Since social work includes life-long learning, starting CEUs at the beginning of licensure is considered good practice.

**641B.188:** Allows licensees to keep their CEUs certificates in an electronic format.

**641B.189:** Changes in this statute address the following areas.

- Tidying up some language regarding ways in which CEUs can be delivered.
- Allowing attendance at a Board meeting, Board workshop or public hearing conducted by the Board as eligible for up to four CEUs annually.
- Allows a licensee to complete their CEUs in any combination of ways defined in the statute. This means that licensees can do all of their CEUs online if they wish.
- Online courses must have an examination after the course, not just a satisfaction survey.

**641B.192:** Changes in this statute address the following areas.

- Any CEUs approved by NASW or ASWB are considered automatically approved. No individual requests are required.
- Removed the language around seeking approval for a program of study, this is addressed in 641B.189. Tidying things up.

**641B.195:** Removes this statutory requirement for Board approved providers to submit quarterly reports.

## **Standards of Practice**

**641B.200:** Changes in this statute address the following areas.

- Accepting the language from the temporary regulation T-0016 regarding certification / decertification of legal holds.
- Clarified record storage as different for individuals under the age of twenty-three when they were treated.
- Tidying up language regarding self-reporting to the Board of a DUI.
- Tidying up language regarding need to self-report entering into treatment for substance abuse or behavioral impairment that affects a licensee's ability to deliver essential social work services.

**641B.205:** Changes in this statute address the following areas.

- Tidying up language.
- Requiring a social worker in independent practice to have a "professional will" which specifies a professional executor in the event that a social worker becomes incapacitated, unable to provide services or is deceased.