

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 3526

By: Jordan of the House

and

6 Dahm of the Senate

7
8
9 COMMITTEE SUBSTITUTE

10 [State Board of Licensed Social Workers - re-
11 creating the Board]
12

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1253, as
15 last amended by Section 2, Chapter 95, O.S.L. 2014 (59 O.S. Supp.
16 2017, Section 1253), is amended to read as follows:

17 Section 1253. A. There is hereby re-created, to continue until
18 July 1, ~~2018~~ 2019, in accordance with the provisions of the Oklahoma
19 Sunset Law, the State Board of Licensed Social Workers, consisting
20 of seven (7) members.

21 B. Three of the members of the Board shall be licensed social
22 workers or licensed clinical social workers licensed pursuant to the
23 provisions of the Social Worker's Licensing Act. Two other members
24 shall be licensed as either social work associates or master's

1 social workers. One member shall be the president of the Oklahoma
2 Chapter of the National Association of Social Workers. The
3 remaining member of the Board shall be selected from and shall
4 represent the general public.

5 C. Responsibility for enforcement of the provisions of the
6 Social Worker's Licensing Act is hereby vested in the State Board of
7 Social Work. The Board shall have all of the duties, powers and
8 authority specifically granted by, or necessary for, the enforcement
9 of the Social Worker's Licensing Act as well as other duties, powers
10 and authority it may be granted by applicable law.

11 D. 1. Each member of the Board appointed as a social worker
12 shall:

- 13 a. be a resident of this state,
- 14 b. be licensed in good standing to engage in the practice
15 of social work in this state,
- 16 c. at the time of appointment, have been actively engaged
17 in the practice of social work for at least one (1)
18 year out of the last five (5) years, and
- 19 d. have at least three (3) years of experience in the
20 practice of social work.

21 2. Each member of the Board appointed to represent the general
22 public shall be a resident of this state who has attained the age of
23 majority and shall not be, nor shall ever have been, a social work
24 licensee, or the spouse of a social work licensee, or a person who

1 has ever had any material financial interest in the provision of
2 social work services or has engaged in any activity directly related
3 to the practice of social work.

4 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1250.1, as
5 amended by Section 1, Chapter 95, O.S.L. 2014 (59 O.S. Supp. 2017,
6 Section 1250.1), is amended to read as follows:

7 Section 1250.1. As used in the Social Worker's Licensing Act:

8 1. "Approved provider of continuing education" means an
9 individual, group, professional association, school, institution,
10 organization, or agency approved by the Board to conduct educational
11 programs;

12 2. "Approved social work program" means a school of social work
13 or a social work educational program that has been approved by the
14 Board;

15 3. "Assessment" means the gathering of data about emotional,
16 behavioral, mental, environmental, biopsychosocial, and
17 interactional processes gathered in an effort to identify the
18 client's past and current level of functioning. Assessment may also
19 include the use of standardized psychometric testing instruments
20 upon successful completion of appropriate, specialized courses or
21 training;

22 4. "Board" means the State Board of Licensed Social Workers,
23 which shall also be known as the State Board of Social Work;
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1 5. "Board approved clinical supervisor" means a licensed
2 clinical social worker who has met the qualifications determined by
3 the Board for supervision in a clinical setting;

4 6. "Board approved supervisor" means a licensed clinical social
5 worker (LCSW) who has met the qualifications determined by the Board
6 for licensure as a supervisor;

7 7. "Case management" means a method to plan, provide, evaluate,
8 and monitor services from a variety of resources on behalf of and in
9 collaboration with a client;

10 8. "Client" means the individual, couple, family, group,
11 organization, or community that seeks or receives social work
12 services;

13 9. "Clinical social work practice" means the practice of social
14 work by a social worker including assessment and diagnosis of
15 behavioral disorders, treatment planning, planning intervention,
16 case management, information and referrals, including referrals to
17 an appropriate allopathic or osteopathic physician when the
18 diagnosis or treatment is in question or psychiatric or medical
19 treatment is indicated. Treatment methods include the provision of
20 individual, marital, couple, family and group counseling and
21 psychotherapy based on the education and training of the social
22 worker. Treatment shall not include biological or medical
23 treatments. The practice of clinical social work may include
24 private or independent practice;

1 10. "Clinical supervision" means an interactional professional
2 relationship between a supervisor and a social worker that provides
3 evaluation and direction over the supervisee's practice of clinical
4 social work and promotes continued development of the social
5 worker's knowledge, skills, and abilities to engage in the practice
6 of clinical social work in an ethical and competent manner;

7 11. "Consultation" means a problem solving process in which
8 expertise is offered to an individual, couple, family, group,
9 organization or community;

10 12. "Continuing education" means education and training which
11 are oriented to maintain, improve or enhance the practice of social
12 work. "Continuing education" shall not mean education or training
13 to make referrals for services represented by codes S0199, S2260,
14 S2265, S2266 or S2267 of the Healthcare Common Procedure Coding
15 System and the Board shall not authorize any such continuing
16 education program;

17 13. "Continuing education contact hour" means a sixty-minute
18 clock hour of instruction, not including breaks or meals;

19 14. "Conviction" means conviction of a crime by a court of
20 competent jurisdiction including a finding or verdict of guilt,
21 whether or not the adjudication of guilt is withheld or not entered
22 on admission of guilt, a plea of nolo contendere, or a guilty plea;

23 15. "Counseling" means a method used by social workers to
24 assist individuals, couples, families and groups in learning how to

1 solve problems and make decisions about personal, health, social,
2 educational, vocational, financial, and other interpersonal
3 concerns;

4 16. "Diagnosis" means the use of assessment tools such as the
5 Diagnostic and Statistical Manual or the International
6 Classification of Diseases;

7 17. "Employment supervision" means the professional
8 relationship between a worksite supervisor and social worker in an
9 employment setting which provides evaluation and direction as it
10 pertains to job-related duties. This type of supervision shall not
11 be accepted towards licensure supervision requirements;

12 18. "Examination" means a standardized test or examination of
13 social work knowledge, skills and abilities which have been approved
14 by the Board;

15 19. "Implementation and evaluation" means continuing to
16 evaluate and monitor the effectiveness of the treatment plan;

17 20. "Independent social work practice" means the practice of
18 nonclinical social work by a licensed social worker (LSW), licensed
19 clinical social worker (LCSW) or licensed social worker with
20 administration specialty (LSW-ADM) outside of an organized setting,
21 such as a social, medical, or governmental agency, after completion
22 of all applicable supervision requirements, in which the social
23 worker assumes responsibility and accountability for services
24 provided;

1 21. "Intervention" means application of techniques utilized to
2 implement the treatment plan appropriate to an assessment;

3 22. "Licensed clinical social worker" (LCSW) means a person
4 duly licensed to practice clinical social work under the Social
5 Worker's Licensing Act;

6 23. "Licensed masters social worker" (LMSW) means a person duly
7 licensed to practice social work under the Social Worker's Licensing
8 Act and who holds a master's degree in social work;

9 24. "Licensed social work associate" (LSWA) means a person duly
10 licensed to practice social work under the Social Worker's Licensing
11 Act;

12 25. "Licensed social worker with administration specialty"
13 (LSW-ADM) means a person duly licensed to practice administrative
14 social work under the Social Worker's Licensing Act;

15 26. "Licensed social worker" (LSW) means a person duly licensed
16 to practice social work under the Social Worker's Licensing Act;

17 27. "Licensee" means a person duly licensed under the Social
18 Worker's Licensing Act;

19 28. "Licensure supervisor" means a licensed social worker who
20 has met the qualifications determined by the Board for a licensure
21 supervisor;

22 29. "Nonclinical social work" means the practice of social work
23 by a social worker to include but not be limited to case management,
24 consultation, education, advocacy and community organization, but

1 excluding counseling in independent practice, psychotherapy,
2 treatment and diagnosis;

3 30. "Nonclinical supervision" means the supervision of social
4 work practice by a social worker to include but not be limited to
5 case management, consultation, education, advocacy and community
6 organization;

7 31. "Practice of social work" means the professional activity
8 of helping individuals, groups or communities enhance or restore
9 their capacity for physical, social and economic functioning and the
10 professional application of social work values, principles and
11 techniques in areas such as clinical social work, social service
12 administration, social planning, social work consultation and social
13 work research to one or more of the following ends: Helping people
14 obtain tangible services; counseling with individuals, families and
15 groups; helping communities or groups provide or improve social and
16 health services; and participating in relevant social action. The
17 practice of social work requires knowledge of human development and
18 behavior; of social economic and cultural institutions and forces;
19 and of the interaction of all of these factors. Social work
20 practice includes the teaching of relevant subject matter and of
21 conducting research into problems of human behavior and conflict.
22 Except as otherwise provided in the Social Worker's Licensing Act,
23 reference to the "practice of social work" shall be the practice of
24 a person licensed under the Social Worker's Licensing Act;

1 32. "Private practice of clinical social work" means the
2 practice of social work performed by a licensed clinical social
3 worker (LCSW) who is wholly or in part self-employed and who assumes
4 responsibility for the nature and quality of the services provided
5 to the client in exchange for direct payment or third-party
6 reimbursement, rather than a salaried employee of an organization or
7 institution;

8 33. "Psychotherapy" means the use of treatment methods
9 utilizing a specialized, formal interaction between a clinical
10 social worker and an individual, couple, family, or group in which a
11 therapeutic relationship is established, maintained and sustained to
12 understand unconscious processes, intrapersonal, interpersonal, and
13 psychosocial dynamics, and the diagnosis and treatment of mental,
14 emotional, and behavioral disorders, conditions and addictions;

15 34. "Supervision" means the professional relationship between
16 an approved supervisor and a social worker that provides evaluation
17 and direction over the services provided by the social worker and
18 promotes continued development of the social worker's knowledge,
19 skills and abilities to provide social work services in an ethical
20 and competent manner; and

21 35. "Treatment planning" or "treatment plan" means the
22 organized approach of an assessment to guide the course of
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1 behavioral health treatment based upon identified needs, problems
2 and issues.

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