

## **Mental Health Professional Practice Act--Part 2 - Social Worker Licensing Act**

### 58-60-202. Definitions.

In addition to the definitions in Sections 58-1-102 and 58-60-102, as used in this part:

- (1) "Board" means the Social Worker Licensing Board created in Section 58-60-203.
- (2) "Practice of clinical social work" includes:
  - (a) the practice of mental health therapy by observation, description, evaluation, interpretation, intervention, and treatment to effect modification of behavior by the application of generally recognized professional social work principles, methods, and procedures for the purpose of preventing, treating, or eliminating mental or emotional illness or dysfunction, the symptoms of any of these, or maladaptive behavior;
  - (b) the application of generally recognized psychotherapeutic and social work principles and practice requiring the education, training, and clinical experience of a clinical social worker; and
  - (c) supervising of the practice of a certified social worker or social service worker as the supervision is required under this chapter and as further defined by division rule.
- (3) "Practice of certified social work" includes:
  - (a) the supervised practice of mental health therapy by a clinical social worker by observation, description, evaluation, interpretation, intervention, and treatment to effect modification of behavior by the application of generally recognized professional social work principles, methods, and procedures for the purpose of preventing, treating, or eliminating mental or emotional illness or dysfunctions, the symptoms of any of these, or maladaptive behavior;
  - (b) the supervised or independent and unsupervised application of generally recognized professional social work principles and practices requiring the education, training, and experience of a certified social worker; and
  - (c) supervision of the practice of a social service worker as the supervision is required under this chapter and as further defined by division rule.
- (4) "Practice as a social service worker":
  - (a) includes performance under supervision of a mental health therapist of professional services consistent with the education and training of a social service worker and the standards and ethics of the profession, including patient management activities;
  - (b) includes the supervised or unsupervised application of professional social work principles and practices and the practice of case management, which practices require only the education, training, and experience of a social service worker and are conducted in accordance with generally accepted standards and ethics of the profession; and
  - (c) does not include engaging in the practice of mental health therapy with an individual, family, group, or any other persons.
- (5) "Supervision of a social service worker" means supervision conducted by an individual licensed as a mental health therapist under this title in accordance with division rules made in collaboration with the board.

58-60-203. Board.

(1) There is created the Social Worker Licensing Board consisting of two certified social workers, two clinical social workers, two social service workers, and one member from the general public.

(2) The board shall be appointed, serve terms, and be compensated in accordance with Section 58-1-201.

(3) The duties and responsibilities of the board are under Sections 58-1-202 and 58-1-203. In addition, the board shall:

(a) designate one of its members on a permanent or rotating basis to assist the division in review of complaints concerning unlawful or unprofessional practice by a licensee in any profession regulated by the board and to advise the division regarding the conduct of investigations of the complaints; and

(b) disqualify any member from acting as presiding officer in any administrative procedure in which that member has previously reviewed the complaint or advised the division.

58-60-204. License classifications.

The division shall issue licenses and certifications to individuals qualified under this part in the classifications:

(1) clinical social worker;

(2) certified social worker;

(3) certified social worker intern; and

(4) social service worker.

58-60-205. Qualifications for licensure as a clinical or certified social worker and social service worker.

(1) An applicant for licensure as a clinical social worker shall:

(a) submit an application on a form provided by the division;

(b) pay a fee determined by the department under Section 63-38-3.2;

(c) be of good moral character;

(d) produce certified transcripts from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and earned degree as follows:

(i) an earned master's degree in social work resulting from completion of an education program accredited by the Council on

Social Work Education; or

(ii) an earned doctoral degree in social work that results from successful completion of a clinical concentration and practicum

approved by the division and defined by rule under Section 58-1-203;

(e) have completed a minimum of 4,000 hours of clinical social work training as defined by division rule under Section 58-1-203 in not less

than two years and under the supervision of a clinical social worker supervisor approved by the division in collaboration with the board;

(f) document successful completion of not less than 1,000 hours of supervised training in mental health therapy obtained after completion

of the education requirement in Subsection (1)(d), which training may be included as part of the 4,000 hours of training in Subsection

(1)(e), and of which documented evidence demonstrates not less than 100 of the hours were obtained under the direct personal face to face

supervision of a clinical social worker approved by the division in collaboration with the board;

(g) have completed a case work, group work, or family treatment course sequence with a clinical practicum in content as defined by rule under Section 58-1-203; and

(h) pass the examination requirement established by rule under Section 58-1-203.

(2) An applicant for licensure as a certified social worker shall:

(a) submit an application on a form provided by the division;

(b) pay a fee determined by the department under Section 63-38-3.2;

(c) be of good moral character;

(d) produce certified transcripts from an accredited institution of higher education recognized by the division in collaboration with the Social

Worker Licensing Board verifying satisfactory completion of an education and an earned degree as follows:

(i) a social work education program accredited by the Council on Social Work Education and an earned master's degree resulting

from completion of that program; or

(ii) an education program that contains approved clinical social work concentration and practicum in content as defined by rule under

Section 58-1-203 and an earned doctorate resulting from completion of that program; and

(e) pass the examination requirement established by rule under Section 58-1-203.

(3) (a) An applicant for certification as a certified social worker intern shall meet the requirements of Subsections (2)(a), (b), (c), and (d).

(b) Certification under Subsection (3)(a) is limited to the time necessary to pass the examination required under Subsection (2)(e) or six months, whichever occurs first.

(c) A certified social worker intern may provide mental health therapy under the general supervision of a clinical social worker.

(4) An applicant for licensure as a social service worker shall:

(a) submit an application on a form provided by the division;

(b) pay a fee determined by the department under Section 63-38-3.2;

(c) be of good moral character;

(d) produce certified transcripts from an accredited institution of higher education recognized by the division in collaboration with the Social

Worker Licensing Board verifying satisfactory completion of an earned degree resulting from education as follows:

(i) a bachelor's degree in a social work program accredited by the Council on Social Work Education;

(ii) a master's degree in a field approved by the division in collaboration with the social worker board; or

(iii) a bachelor's degree in sociology, psychology, family sciences, or other field approved by the division in collaboration with the

Social Worker Licensing Board and also documentation of 2,000 hours of supervised social work activity approved by the division

in collaboration with the board, which is performed after completing bachelor's degree requirements under this Subsection 10 (4);

(iv) a bachelor's degree in any field, if the applicant has completed:

(A) the equivalent of three credit hours of course work or other approved training in full-life human growth behavior, abnormal psychology, social work values and ethics, social welfare, or social welfare policy;

(B) an approved social work practice methods course; and

(C) one year of qualifying experience under the supervision of a licensed certified or clinical social worker, which experience is approved by the division in collaboration

with the Social Worker Licensing Board, and which is performed after completion of the requirements to obtain the bachelor's degree required under this Subsection (4); or  
(v) successful completion of the first academic year of a Council on Social Work Education approved master's of social work curriculum and practicum; and  
(e) pass the examination requirement established by rule under Section 58-1-203.

58-60-206. Qualifications for admission to examination.

All applicants for admission to any examination qualifying an individual for licensure under this part shall:

- (1) submit an application on a form provided by the division;
- (2) pay the fee established for the examination; and
- (3) certify under penalty of perjury as evidenced by notarized signature on the application for admission to the examination that the applicant has completed the education requirements and been awarded the earned degree required for licensure.

58-60-207. Scope of practice - Limitations.

- (1) A clinical social worker may engage in all acts and practices defined as the practice of clinical social work without supervision, in private and independent practice, or as an employee of another person, limited only by the licensee's education, training, and competence.
- (2) To the extent an individual is professionally prepared by the education and training track completed while earning a master's or doctor of social work degree, a licensed certified social worker may engage in all acts and practices defined as the practice of certified social work consistent with the licensee's education, clinical training, experience, and competence:
  - (a) under supervision of a clinical social worker and as an employee of another person when engaged in the practice of mental health therapy;
  - (b) without supervision and in private and independent practice or an employee of another person, if not engaged in the practice of mental health therapy;
  - (c) including engaging in the private, independent, unsupervised practice of social work as a self-employed individual, in partnership with other licensed clinical or certified social workers, as a professional corporation, or in any other capacity or business entity, so long as he does not practice unsupervised psychotherapy; and
  - (d) supervising social service workers as provided by division rule.