

Montana State Legislature

Exhibit Number: 10

The following exhibit has an assortment of writings, reports, testimony, a pamphlet, a booklet and other documents that all cannot be scanned. A small portion has been scanned to aid in your research. The exhibit is on file at the Montana Historical Society and can be viewed there.

Index of Documents

**NASW Testimony Colleen Murphy MSW, LCSW
Licensed/Certified Occupations in Montana
HB 682 Social Work Licensure Law Provisions
Photocopy of Billboard in Helena Fall 2004
Pamphlet "It's a Matter of Public Protection"
Testimony by:**

- **Paul & Sharon Rice**
- **Immanuel Lutheran**
- **Ann Drenk RN, PNP, MA**
- **Sue Englert BSW, C-SWCH**
- **Timothy B. Conley Ph.D.**
- **Marshall M. Left Hand, MSW**

Several Articles pertaining to HB 682 @

The Montana Standard article; "Butte Women sentenced for stealing from mentally ill." By Barbara LaBoe 08/12/2004

Booklet "Code of Ethics of the National Association of Social Workers"

Montana Historical Society Archives, 225 N. Roberts, Helena, MT 59620-1201; phone (406) 444-4774. For minutes in paper format, please contact the Montana State Law Library, Justice Building, 215 N. Sanders, Helena, MT 59620; (406) 444-3660. Tapes and exhibits are also available at the Historical Society (tapes are retained for five years). Scanning done by: Susie Hamilton

National Association of Social Workers

Board Members

November 22, 2004

EXHIBIT 10
DATE 2-18-05
682

President
Rita Watson

Dear Director,

President Elect
Joyce Flansburg

I hope you will join NASW in supporting Licensure For All Social Workers in Montana - It's a Matter of Public Protection. Enclosed you will find a brochure, and a document, Initial Draft Social Work Licensure Law Provisions, detailing legislation that the National Association of Social Workers, Montana Chapter, (NASW) is introducing at the 2005 legislative session to license all who practice social work.

Vice President
Michelle Stosich

Secretary
Laurie Thatcher

Our Position

Treasurer
Mary Jane Fox

Our position is that the *vulnerable* public that receive social work services needs every assurance that the professional providing services has met *nationally recognized standards of education, training, ethics and experience* in the social work profession and that these professionals are held accountable to an *independent* regulatory authority.

Walla Walla
College Student
Representative
Darcie Kelly

The Problem

University of
Montana Student
Representative
Forest Henning

Our office has received numerous complaints over the years from both professionals and the public regarding harm to the public.

Eastern Region
Representative
Sandra Lippy

Some Examples:

North Central Region
Representative
Joe Boyle

- An employee in a home health agency reported a concern over an employee whose emotional state was unstable and the concern that emotional harm could be done to clients served in their homes. The concern was reportedly filed with the agency that did not take action. **There was no mechanism to file a complaint with a regulatory authority.**
- The spouse of a dying partner reported that the worker of a home health agency assigned to their family had engaged in a sexual relationship with them. The worker was no longer employed with the agency and **there was no mechanism to file a complaint with a regulatory authority.**
- A hospital expressed concern that an individual practicing at the Master's level was experiencing emotional difficulties that would be potentially harmful to clients if the individual were to be granted a clinical license and the authority to practice without supervision. The hospital felt a report should be filed as a consideration of seeking clinical licensure. **There was no mechanism to file a complaint with a regulatory authority.**

South Central Region
Representative
Taryn Kovac

Southwestern Region
Representative
Janice Lundeen

Northwestern Region
Representative
Janiece Hamilton

Nominations &
Leadership Chair
Nancy Smith

Documented Harm:

Social Policy and
Action
Vicki DeBoer

- An employee of a mental health center was convicted of embezzling funds from both clients and the mental health center. **There was no mechanism to file a complaint with a regulatory authority.**
- An employee of Child and Family Services was convicted of purchasing illegal drugs from a client. **There was no mechanism to file a complaint with a regulatory authority.**

Executive Director
Colleen Murphy

Licensed/Certified Occupations in Montana

<p>A Accountants and Auditors Architects Advance Practice Registered Nurses Acupuncturists Agricultural Dealers Aircraft Mechanics</p> <p>B Bus Drivers Barbers</p> <p>C Construction Blasters Casino Gaming Workers/Card Dealer License Chiropractors Commercial Fishers Compliance Officers and Inspectors / Sanitarians Contractors Counselors/Licensed Clinical Professional Counselors/School Counselors/Licensed Addiction Cosmetologists Coroners Crane and Tower Operators Child Care Workers</p> <p>D Dental Hygienists Denturists Dentists Dietitians/Nutritionists</p> <p>E Education Administrators Electricians Electrologists Elementary Teachers Emergency Medical Technicians Engineers Embalmers</p>	<p>N Nursing Home Administrators Naturopathic Physicians Nurse Anesthetists Nurse Practitioners</p> <p>O Occupational Therapists Optometrists</p> <p>P Pest Control Workers Pharmacists Pharmacy Technicians Physical Therapists Physical Therapists Assistants Physician Assistants Physicians Plumbers and Pipefitters Podiatrists Private Investigators Property Managers Psychologists Pilots and Flight Engineers</p> <p>R Radiologic Technologists Real Estate Agents Real Estate Appraisers Recreation Guides Registered Nurses Respiratory Therapists</p> <p>S Surface Coal Mining Blasters School Psychologists Securities Salespeople Security Guards Septic Tank Servicers and Sewer Pipe Cleaners Social Workers Speech Pathologists and Audiologists</p>
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HB 682 Social Work Licensure Law Provisions

Definitions of Scope of Practice of Licensure Bill – No Exemptions

A Social Work License will be required when someone engages in the practice of social work or represents him or herself as a social worker. Social Work Practice is defined as follows:

Licensed Baccalaureate in Social Work - LBSW

- The application of social work theory, knowledge, methods, ethics and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations and communities.
- Basic generalist practice that includes assessment, planning, intervention, evaluation, case management, information and referral, counseling, supervision, consultation, education, advocacy, community organization, and the development, implementation, and administration of policies, programs and activities.

Licensed Master's in Social Work - LMSW

- All duties that a baccalaureate social worker can perform.
- Master's social work practice requires the application of specialized knowledge and advanced Practice skills in the areas of assessment, treatment planning, implementation and evaluation.
- The practice of Master's Social Work may include the practice of Clinical Social Work under clinical supervision as provided in this Act.

Licensed Clinical Social Worker

- Includes clarification on assessment in psychotherapy.

Proposed Grandparenting Provisions

- Practicing with a BSW = LBSW
- Practicing with a MSW = LMSW
- Practicing social work without a social work degree or practicing social work with no degree = LASW (A= Associate)

Proposed Grandparenting Provisions - LBSW & LMSW

- Practicing Social Work with a BSW or MSW
 - BSW/MSW from a board approved school
 - Application including reference letters
 - Must apply by December 31, 2005, deadline or examination required to meet qualifications

Proposed Grandparenting Provisions – LASW

- Practicing Social Work Without a Social Work Degree
 - Must have Baccalaureate or Masters Degree
 - Application including reference letters
 - Documented current employment in a social work position
 - Education documentation including field experience in human services **or** documented satisfactory employment in social work practice for two years
 - Must apply by deadline December 31, 2005, deadline or examination is required to meet qualifications
- Practicing Social Work With No Degree
 - Application including reference letters
 - Letter from current employer documenting employment in social work position and attesting to qualifications for social work practice
 - License only applies to employer at time of application. Cannot be transferred to another employer
 - December 31, 2005, deadline closes this option. After January 1, 2006 the license applies

only to continued employment with employer at time of application

Application for the LASW License After Jan. 1, 2006 Through Dec. 31, 2010, Must Meet the Following Requirements:

- Hold a Baccalaureate or Masters degree from a program approved by the board
- Completed application including reference letters,
- Documented employment in the field of social work
- Pass the ASWB associate examination.

December 31, 2010, the LASW License Sunsets. Upon submitting proof to the board of current employment in a social work position the LASW will be grandparented in as a LBSW. The LASW would no longer be available and discontinued/sunset on December 31, 2010.

Fees and Application Process to be Licensed as a LBSW/LASW or LMSW

- BSW/BA or MSW Degree from approved program
- Application with letters of recommendation - \$50 fee
- Renewal Fees to Board - \$50 bi-annually (proposed)
- ASWB Exam - \$175 (when applicable)
 - BSW, no experience, Pass ASWB Basic Exam
 - MSW, no experience, Pass ASWB Intermediate Exam
- 3,000 post-graduate supervised hours for Independent Endorsement (optional)

Independent Practice

Practice of social work outside of an organized setting, such as a social, medical, or governmental organization or agency, after completion of all applicable supervision requirements, in which the social worker assumes responsibility and accountability for services provided and does not require supervision.

- Management positions
- Unsupervised practice
- Ownership of agency
- Does not mean clinical practice

Independent Practice Endorsement

Requirements for independent endorsement:

- **LBSW** – LBSW & 3,000 post-graduate supervised hours, application, fees
- **LMSW** – LMSW & 3,000 post-graduate supervised hours, application, fees

Exemptions

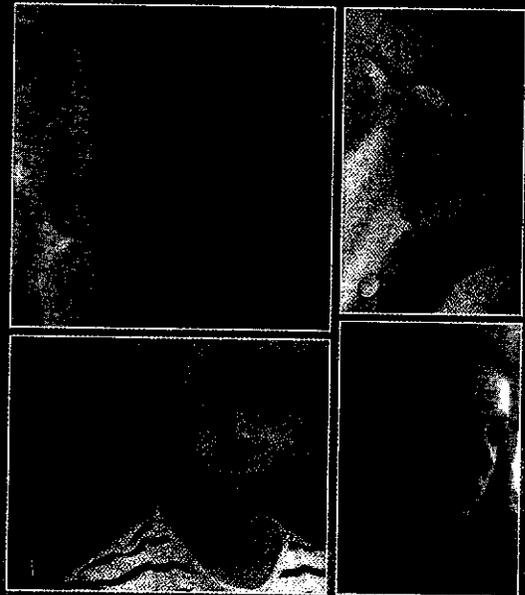
- Individual performing functions for which they are duly licensed by a regulatory board or authority within Montana.
- Members of the general public engaged in social work-like activities performing activities consistent with their training if they do not hold themselves out to the public by a title or description incorporating the words "social worker", "licensed social worker", or "licensed clinical social worker".
- Other licensed professionals must not hold themselves out or refer to themselves by any title or description stating or implying that they are engaged in the practice of social work or that they are licensed to engage in the practice of social work.
- Students currently participating approved social work program when completing social work experience requirements.



Billboard in Helena
Fall 2004

Campaign for Licensure
for All Social Workers
in Montana

It's a Matter of Public Protection



 **N A S W** MONTANA CHAPTER
National Association of Social Workers