EXHIBIT 15
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# Is It Social Work Practice?

## How to Define What Jobs Will Be Affected by Multi-level Licensure and Practice Act Legislation (MLLPAL)

To determine if a person is practicing social work we must keep in mind the (1) statutory definition of social work practice at the level of licensure being addressed, (2) the intent behind these statutes and accompanying rules, (3) the job description and (4) the unique KSA's (Knowledge, Skills, Abilities) necessary to successfully perform the work.

1. Article I, Section 104, 105 and 106 Practice of (Baccalaureate/Master's/Clinical) Social Work

The practice of Social Work means the application of social work theory, knowledge, methods and ethics and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations and communities…

2. ASWB Model Law, Article I, Section 104-106 comments section.

a. …any definition of practice needs to contain a degree of flexibility that will allow the Board to make necessary adjustments from time to time to meet a changing health care environment, an evolving practice, and the ongoing needs of consumers. The definitions in sections 104, 105 and 106 are purposely broad in order to provide substantial latitude to the Board in the adoption and implementation of rules. Also

b. The definitions of practice at the Baccalaureate, Masters and clinical levels include lists of activities in which social workers engage. Accordingly, social workers whose employment or position entails any or all of these activities must maintain a valid social work license authorizing that particular scope of practice. Therefore, based on the definitions of practice, examples of positions that require social workers to maintain a license include, but are not limited to:

- Social Workers in government service
- Case Managers
- Program Evaluators
- Supervisors
- Social Service Administrators
- Social Work Educators
- Community Organizers
- Policy Makers
- Researchers

3. Job description example:

a. The job position is a regulator/surveyor in DPHHS. The position requires looking at program development, health and safety concerns in youth and adult care facilities. The ultimate goal is of course to ensure best service is provided to the clients they serve.

b. The position deals with revision of policy and procedures, compliance with state regulations, do investigative work and outline correction plans.

c. Even though previously defined as a community social work position, the position is called a health care surveyor.

4. KSA's see Model Law Article I, Sections 104, 105 and 106 further elaborations of the specialized knowledge and skills required to practice social work.

5. Comments: The proposed law will go through a couple of permeations before it impacts the public. First is the writing of rule to clarify the intent of the law. Second is the interpretation of the law and rule with regard to specific situations and individuals. This Board has never had a reputation of being punitive and more often than not has given the benefit of the doubt.

6. Conclusions: An interpretation of this person's job is it is appropriate to describe it as a health care surveyor, not as a community social worker, because most of the functions described are not specific to the social work profession. I would say this position does not have sufficient uniquely social content to justify saying the person is practicing social work. These people are compliance officers, not policy developers, program developers, community organizers or service deliverers.

7. Rationale: Looking at program development to see if it complies with state regulations is not the same as developing program. Looking at service delivery to see if it complies with state regulations is not the same as delivering, consulting or supervising service delivery. Looking at policies and procedures to determine compliance with state regulations is not the same as developing social policy.

When we look at the list of positions noted above in the ASWB comments on model laws, the program evaluator position is the closest to the health care surveyor position yet is not really applicable. What the health care surveyor does with program is to see if the program components required by state regulations are in place. They do not evaluate the quality of the program or the appropriateness of the type of program.

8. In summary: The intent of protecting social work practice is not to define all jobs that have some apparent social work components as social work practice. The intent is to define jobs as social work practice that are substantially social work in nature by virtue of their description, function and objective in addition to the Knowledge, Skills and Abilities necessary to perform the work.

To accomplish this we must look at the requirements of law and rule, the job as it is described and carried out, and the KSA's necessary to successfully perform the work. This criterion must include significant or noteworthy evidence of social work practice to support the conclusion that the questioned activity is social work practice, as defined in law, in order for us to have a sound legal base to define this activity accordingly.