

FIRST REGULAR SESSION

SENATE BILL NO. 413

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATORS STEELMAN, DOUGHERTY, DAYS AND CHAMPION.

Read 1st time February 4, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1235S.011

AN ACT

To repeal sections 337.600 and 337.633, RSMo, and to enact in lieu thereof three new sections relating to licensing of social workers, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 337.600 and 337.633, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 337.600, 337.604, and 337.633, to read as follows:

337.600. As used in sections 337.600 to ~~337.639~~ **337.689**, the following terms mean:

(1) "Clinical social work", the application of methods, principles, and techniques of case work, group work, client-centered advocacy, community organization, administration, planning, evaluation, consultation, research, psychotherapy and counseling methods and techniques to persons, families and groups in assessment, diagnosis, treatment, prevention and amelioration of mental and emotional conditions;

(2) "Department", the Missouri department of economic development;

(3) "Director", the director of the division of professional registration in the department of economic development;

(4) "Division", the division of professional registration;

(5) "Licensed clinical social worker", any person who offers to render services to individuals, groups, organizations, institutions, corporations, government agencies or the general public for a fee, monetary or otherwise, implying that the person is trained, experienced, and licensed as a clinical social worker, and who holds a current, valid license to practice as a clinical social worker;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

(6) "Practice of clinical social work", rendering, offering to render, or supervising those who render to individuals, couples, groups, organizations, institutions, corporations, or the general public any service involving the application of methods, principles, and techniques of clinical social work;

(7) "Provisional licensed clinical social worker", any person who is a graduate of an accredited school of social work and meets all requirements of a licensed clinical social worker, other than the supervised clinical social work experience prescribed by subdivision (2) of subsection 1 of section 337.615, and who is supervised by a person who is qualified to practice clinical social work, as defined by rule;

(8) "Social worker", any individual that has earned a social work degree from an accredited social work program approved by the Council on Social Work Education or that holds a current state baccalaureate or clinical social work license as set forth in sections 337.600 to 337.689.

337.604. 1. No person shall hold themselves out to be a "social worker" unless they have a current state baccalaureate or clinical social work license as set forth in sections 337.600 to 337.689 or possess an educational degree from an accredited social work program approved by the Council on Social Work Education for a baccalaureate, masters, doctorate, or Ph.D. in social work.

2. No person shall use the title "social worker" or any form of the title for volunteer or employment positions or within contracts for services, documents, manuals, or reference material effective January 1, 2004, unless the individuals that are being referred to have met the educational criteria set forth in this section or section 337.600.

337.633. 1. Violation of any provision of sections 337.600 to [337.639] 337.689, except section 337.604, shall be a class B misdemeanor. Violation of section 337.604 shall be subject to a fine of up to one thousand dollars.

2. All fees or other compensation received for services which are rendered in violation of sections 337.600 to 337.639 shall be refunded.

3. The department on behalf of the committee may sue in its own name in any court in this state. The department shall inquire as to any violations of sections 337.600 to 337.639, may institute actions for penalties herein prescribed, and shall enforce generally the provisions of sections 337.600 to 337.639.

4. Upon application by the committee, the attorney general may on behalf of the committee request that a court of competent jurisdiction grant an injunction, restraining order or other order as may be appropriate to enjoin a person from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate of registration or authority, permit or license is required upon a showing that such

acts or practices were performed or offered to be performed without a certificate of registration or authority, permit or license; or

(2) Engaging in any practice of business authorized by a certificate of registration or authority, permit or license issued pursuant to sections 337.600 to 337.639 upon a showing that the holder presents a substantial probability of serious harm to the health, safety or welfare of any resident of this state or client or patient of the licensee.

5. Any action brought pursuant to the provisions of this section shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

6. Any action brought pursuant to this section may be in addition to or in lieu of any penalty provided by this act and may be brought concurrently with other actions to enforce the provisions of sections 337.600 to 337.639.

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