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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1191

03/17/2011 Authored by Abeler, Lanning, Hosch, Huntley and Greiling
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
03/28/2012 By motion, recalled and re-referred to the Committee on Health and Human Services Finance
04/02/2012 Adoption of Report: Pass as Amended and Read Second Time

1.1 A bill for an act
1.2 relating to health occupations; modifying provisions for licensure of social
1.3 workers; amending Minnesota Statutes 2010, sections 148E.055, subdivision
1.4 1; 148E.060, subdivisions 1, 2, 3, 5, by adding a subdivision; 148E.065,
1.5 subdivisions 2, 4, 5, by adding subdivisions; 148E.120; 148E.195, subdivision 2,
1.6 by adding a subdivision; 148E.280; proposing coding for new law in Minnesota
1.7 Statutes, chapter 148E; repealing Minnesota Statutes 2010, section 148E.065,
1.8 subdivision 3.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2010, section 148E.055, subdivision 1, is amended to
1.11 read:

1.12 Subdivision 1. License required. (a) In order to practice social work, an individual
1.13 must have a social work license under this section or section 148E.060, except when the
1.14 individual is exempt from licensure according to section 148E.065.

1.15 (b) Individuals who teach professional social work knowledge, skills, and values to
1.16 students and who have a social work degree from a program accredited by the Council
1.17 on Social Work Education, the Canadian Association of Schools of Social Work, or a
1.18 similar accreditation accrediting body designated by the board must have a social work
1.19 license under this section or section 148E.060, except when the individual is exempt from
1.20 licensure according to section 148E.065.

1.21 (c) Effective July 1, 2014, an individual employed by a city, county, or state agency
1.22 must be licensed if:

1.23 (1) the individual is presented to the public by any title incorporating the words
1.24 "social work" or "social worker"; or

1.25 (2) the individual has a baccalaureate or graduate degree in social work from a
1.26 program accredited by the Council on Social Work Education, the Canadian Association

2.1 of Schools of Social Work, or a similar accrediting body designated by the board, and
2.2 the individual engages in the practice of social work, including clinical social work, if
2.3 authorized under this chapter.

2.4 (d) Effective July 1, 2014, an individual employed by a private nonprofit agency
2.5 whose primary service focus addresses ethnic minority populations, and who is a member
2.6 of ethnic minority populations within those agencies, previously exempt from licensure
2.7 under sections 148D.065, subdivision 5, and 148E.065, subdivision 5, must be licensed if:

2.8 (1) the individual is presented to the public by any title incorporating the words
2.9 "social work" or "social worker"; or

2.10 (2) the individual has a baccalaureate or graduate degree in social work from a
2.11 program accredited by the Council on Social Work Education, the Canadian Association
2.12 of Schools of Social Work, or a similar accrediting body designated by the board, and
2.13 the individual engages in the practice of social work, including clinical social work, if
2.14 authorized under this chapter.

2.15 **EFFECTIVE DATE.** This section is effective August 1, 2012.

2.16 Sec. 2. **[148E.0555] LICENSE REQUIREMENTS; GRANDPARENTING.**

2.17 Subdivision 1. **Grandparenting period.** (a) The board shall issue a license to an
2.18 applicant who meets all the requirements in this section and has submitted a completed,
2.19 signed application and the required fee between January 1, 2012, and December 31, 2012.

2.20 (b) If the applicant does not provide all of the information requested by the board
2.21 by December 31, 2013, the applicant is considered ineligible and the application for
2.22 licensure is closed.

2.23 Subd. 2. **Eligible agency personnel.** When submitting the application for licensure,
2.24 the applicant must provide evidence satisfactory to the board that the applicant is currently
2.25 employed by a:

2.26 (1) Minnesota city, county, or state agency, and:

2.27 (i) at any time within three years of the date of submitting an application for
2.28 licensure was presented to the public by any title incorporating the words "social work" or
2.29 "social worker," while employed by that agency for a minimum of six months; or

2.30 (ii) at any time within three years of the date of submitting an application for
2.31 licensure was engaged in the practice of social work, including clinical social work, as
2.32 described in section 148E.010, subdivisions 6 and 11, while employed by that agency
2.33 for a minimum of six months; or

2.34 (2) private nonprofit, nontribal agency whose primary service focus addresses ethnic
2.35 minority populations, and the applicant is a member of an ethnic minority population

3.1 within the agency, previously exempt from licensure under sections 148D.065, subdivision
3.2 5, and 148E.065, subdivision 5, and:

3.3 (i) at any time within three years of the date of submitting an application for
3.4 licensure was presented to the public by any title incorporating the words "social work" or
3.5 "social worker," while employed by that agency for a minimum of six months; or

3.6 (ii) at any time within three years of the date of submitting an application for
3.7 licensure was engaged in the practice of social work, including clinical social work, as
3.8 described under section 148E.010, subdivisions 6 and 11, while employed by that agency
3.9 for a minimum of six months.

3.10 **Subd. 3. Qualifications during grandparenting for licensure as LSW.** (a) To
3.11 be licensed as a licensed social worker, an applicant for licensure under this section
3.12 must provide evidence satisfactory to the board that the individual has completed a
3.13 baccalaureate degree:

3.14 (1) in social work from a program accredited by the Council on Social Work
3.15 Education, the Canadian Association of Schools of Social Work, or a similar accrediting
3.16 body designated by the board; or

3.17 (2) in psychology, sociology, human services, or social/behavioral sciences from an
3.18 accredited college or university; or

3.19 (3) with a major in any field from an accredited college or university, and one year of
3.20 experience in the practice of social work as described in section 148E.010, subdivision 11.

3.21 (b) To be licensed as a licensed social worker, an applicant for licensure under this
3.22 section must provide evidence satisfactory to the board that the individual has:

3.23 (1) submitted a completed, signed application and the license fee in section
3.24 148E.180;

3.25 (2) for applications submitted electronically, provided an attestation as specified
3.26 by the board;

3.27 (3) submitted the criminal background check fee and a form provided by the board
3.28 authorizing a criminal background check;

3.29 (4) paid the applicable license fee in section 148E.180; and

3.30 (5) not engaged in conduct that was or would be in violation of the standards of
3.31 practice specified in sections 148D.195 to 148D.240 and 148E.195 to 148E.240. If the
3.32 applicant has engaged in conduct that was or would be in violation of the standards of
3.33 practice, the board may take action according to sections 148E.255 to 148E.270.

3.34 (c) An application that is not completed and signed, or that is not accompanied by
3.35 the correct license fee, must be returned to the applicant, along with any fee submitted,
3.36 and is void.

4.1 (d) By submitting an application for licensure, an applicant authorizes the board to
4.2 investigate any information provided or requested in the application. The board may
4.3 request that the applicant provide additional information, verification, or documentation.

4.4 (e) Within one year of the time the board receives an application for licensure, the
4.5 applicant must meet all the requirements and provide all of the information requested by
4.6 the board according to paragraphs (a) and (b).

4.7 (f) Prelicensure supervised practice hours may be applied to meet the requirements
4.8 of this section. Hours obtained prior to August 1, 2011, must meet the supervised practice
4.9 requirements in sections 148D.100 to 148D.125, and hours obtained on or after August 1,
4.10 2011, must meet the supervised practice requirements in sections 148E.100 to 148E.125.

4.11 (g) In addition to the required supervisors listed in sections 148D.120 and 148E.120,
4.12 an alternate supervisor may include a qualified professional who has a bachelor's or
4.13 graduate degree, and the authority to direct the practice of the applicant, including but
4.14 not limited to an agency director, or agency or consulting supervisor, as determined
4.15 appropriate by the board.

4.16 (h) Unless completed at the time of application for licensure, a licensee granted a
4.17 license by the board under this section must meet the supervised practice requirements
4.18 in sections 148E.100 to 148E.125. If a licensee does not meet the supervised practice
4.19 requirements, the board may take action according to sections 148E.255 to 148E.270.

4.20 Subd. 4. **Qualifications during grandparenting for licensure as LGSW.** (a) To
4.21 be licensed as a licensed graduate social worker, an applicant for licensure under this
4.22 section must provide evidence satisfactory to the board that the individual has completed
4.23 a graduate degree:

4.24 (1) in social work from a program accredited by the Council on Social Work
4.25 Education, the Canadian Association of Schools of Social Work, or a similar accrediting
4.26 body designated by the board; or

4.27 (2) in psychology, sociology, marriage and family therapy, human services, or
4.28 social/behavioral sciences from an accredited college or university; or

4.29 (3) with a major in any field from an accredited college or university, and one year
4.30 of experience in the practice of social work as described in section 148E.010, subdivisions
4.31 6 and 11.

4.32 (b) To be licensed as a licensed graduate social worker, an applicant for licensure
4.33 under this section must provide evidence satisfactory to the board that the individual has:

4.34 (1) submitted a completed, signed application and the license fee in section
4.35 148E.180;

5.1 (2) for applications submitted electronically, provided an attestation as specified
5.2 by the board;

5.3 (3) submitted the criminal background check fee and a form provided by the board
5.4 authorizing a criminal background check;

5.5 (4) paid the applicable license fee in section 148E.180; and

5.6 (5) not engaged in conduct that was or would be in violation of the standards of
5.7 practice specified in sections 148D.195 to 148D.240 and 148E.195 to 148E.240. If the
5.8 applicant has engaged in conduct that was or would be in violation of the standards of
5.9 practice, the board may take action according to sections 148E.255 to 148E.270.

5.10 (c) An application that is not completed and signed, or that is not accompanied by
5.11 the correct license fee, must be returned to the applicant, along with any fee submitted,
5.12 and is void.

5.13 (d) By submitting an application for licensure, an applicant authorizes the board to
5.14 investigate any information provided or requested in the application. The board may
5.15 request that the applicant provide additional information, verification, or documentation.

5.16 (e) Within one year of the time the board receives an application for licensure, the
5.17 applicant must meet all the requirements and provide all of the information requested by
5.18 the board according to paragraphs (a) and (b).

5.19 (f) Prelicensure supervised practice hours may be applied to meet the requirements
5.20 of this section. Hours obtained prior to August 1, 2011, must meet the supervised practice
5.21 requirements in sections 148D.100 to 148D.125, and hours obtained on or after August 1,
5.22 2011, must meet the supervised practice requirements in sections 148E.100 to 148E.125.

5.23 (g) In addition to the required supervisors listed in sections 148D.120 and 148E.120,
5.24 an alternate supervisor of nonclinical practice may include a qualified professional who
5.25 has a bachelor's or graduate degree, and the authority to direct the practice of the applicant,
5.26 including but not limited to an agency director, or agency or consulting supervisor, as
5.27 determined appropriate by the board.

5.28 (h) Unless completed at the time of application for licensure, a licensee granted a
5.29 license by the board under this section must meet the supervised practice requirements
5.30 specified in sections 148E.100 to 148E.125. If a licensee does not meet the supervised
5.31 practice requirements, the board may take action according to sections 148E.255 to
5.32 148E.270.

5.33 **Subd. 5. Qualifications during grandparenting for licensure as LISW.** (a) To
5.34 be licensed as a licensed independent social worker, an applicant for licensure under this
5.35 section must provide evidence satisfactory to the board that the individual has completed
5.36 a graduate degree:

6.1 (1) in social work from a program accredited by the Council on Social Work
6.2 Education, the Canadian Association of Schools of Social Work, or a similar accrediting
6.3 body designated by the board; or

6.4 (2) in psychology, sociology, marriage and family therapy, human services, or
6.5 social/behavioral sciences from an accredited college or university; or

6.6 (3) with a major in any field from an accredited college or university, and one year
6.7 of experience in the practice of social work according to section 148E.010, subdivision 11.

6.8 (b) To be licensed as a licensed independent social worker, an applicant for licensure
6.9 under this section must provide evidence satisfactory to the board that the individual has:

6.10 (1) practiced social work as defined in section 148E.010, subdivision 11, and has
6.11 met the supervised practice requirements as follows: (i) for hours obtained prior to
6.12 August 1, 2011, has met the requirements in sections 148D.100 to 148D.125; (ii) for
6.13 hours obtained after August 1, 2011, has met the requirements in sections 148E.100 to
6.14 148E.125; and (iii) in addition to the supervisors listed in section 148D.120 or 148E.120,
6.15 an alternate supervisor of nonclinical practice may include a qualified professional who
6.16 has a bachelor's or graduate degree and the authority to direct the practice of the applicant,
6.17 including but not limited to an agency director, or agency or consulting supervisor as
6.18 determined by the board.

6.19 (2) submitted a completed, signed application and the license fee in section
6.20 148E.180;

6.21 (3) for applications submitted electronically, provided an attestation as specified
6.22 by the board;

6.23 (4) submitted the criminal background check fee and a form provided by the board
6.24 authorizing a criminal background check;

6.25 (5) paid the applicable license fee specified in section 148E.180; and

6.26 (6) not engaged in conduct that was or would be in violation of the standards of
6.27 practice specified in sections 148D.195 to 148D.240 and 148E.195 to 148E.240. If the
6.28 applicant has engaged in conduct that was or would be in violation of the standards of
6.29 practice, the board may take action according to sections 148E.255 to 148E.270.

6.30 (c) An application that is not completed, signed, and accompanied by the correct
6.31 license fee, must be returned to the applicant, along with any fee submitted, and is void.

6.32 (d) By submitting an application for licensure, an applicant authorizes the board to
6.33 investigate any information provided or requested in the application. The board may
6.34 request that the applicant provide additional information, verification, or documentation.

7.1 (e) Within one year of the time the board receives an application for licensure, the
7.2 applicant must meet all the requirements and provide all of the information requested by
7.3 the board according to paragraphs (a) and (b).

7.4 (f) Upon licensure, a licensed independent social worker who practices clinical
7.5 social work must meet the supervised practice requirements specified in sections 148E.100
7.6 to 148E.125. If a licensee does not meet the supervised practice requirements, the board
7.7 may take action according to sections 148E.255 to 148E.270.

7.8 Subd. 6. **Qualifications during grandparenting for licensure as LICSW.** (a) To
7.9 be licensed as a licensed independent clinical social worker, an applicant for licensure
7.10 under this section must provide evidence satisfactory to the board that the individual has:

7.11 (1) completed a graduate degree in social work from a program accredited by the
7.12 Council on Social Work Education, the Canadian Association of Schools of Social Work,
7.13 or a similar accrediting body designated by the board; or

7.14 (2) completed a graduate degree and is a mental health professional according to
7.15 section 245.462, subdivision 18, clauses (1) to (6).

7.16 (b) To be licensed as a licensed independent clinical social worker, an applicant
7.17 for licensure under this section must provide evidence satisfactory to the board that the
7.18 individual has:

7.19 (1) practiced clinical social work as defined in section 148E.010, subdivision 6,
7.20 including both diagnosis and treatment, and has met the supervised practice requirements
7.21 specified in sections 148E.100 to 148E.125, excluding the 1,800 hours of direct clinical
7.22 client contact specified in section 148E.115, subdivision 1, except that supervised practice
7.23 hours obtained prior to August 1, 2011, must meet the requirements in sections 148D.100
7.24 to 148D.125;

7.25 (2) submitted a completed, signed application and the license fee in section
7.26 148E.180;

7.27 (3) for applications submitted electronically, provided an attestation as specified
7.28 by the board;

7.29 (4) submitted the criminal background check fee and a form provided by the board
7.30 authorizing a criminal background check;

7.31 (5) paid the license fee in section 148E.180; and

7.32 (6) not engaged in conduct that was or would be in violation of the standards of
7.33 practice specified in sections 148D.195 to 148D.240 and 148E.195 to 148E.240. If the
7.34 applicant has engaged in conduct that was or would be in violation of the standards of
7.35 practice, the board may take action according to sections 148E.255 to 148E.270.

8.1 (c) An application which is not completed, signed, and accompanied by the correct
8.2 license fee, must be returned to the applicant, along with any fee submitted, and is void.

8.3 (d) By submitting an application for licensure, an applicant authorizes the board to
8.4 investigate any information provided or requested in the application. The board may
8.5 request that the applicant provide additional information, verification, or documentation.

8.6 (e) Within one year of the time the board receives an application for licensure, the
8.7 applicant must meet all the requirements and provide all of the information requested
8.8 by the board.

8.9 **EFFECTIVE DATE.** This section is effective August 1, 2012.

8.10 **Sec. 3. [148E.0556] LISW TRANSITION PERIOD EXCEPTION.**

8.11 At any time on or after January 1, 2012, until December 31, 2015, to qualify for a
8.12 licensed independent social worker license, an applicant must submit an application to the
8.13 board for a licensed independent social worker license and:

8.14 (1) hold a current licensed graduate social worker license issued through
8.15 grandparenting under section 148E.0555, subdivision 4, and:

8.16 (i) meet all requirements in effect at the time of application according to section
8.17 148E.055, subdivision 4, paragraph (a), excluding clause (1); and

8.18 (ii) meet the supervised practice requirements according to section 148E.055,
8.19 subdivision 4, paragraph (a), clause (2); or

8.20 (2) hold a current licensed graduate social worker issued through grandparenting
8.21 prior to July 1, 1996, and:

8.22 (i) meet all requirements in effect at the time of application according to section
8.23 148E.055, subdivision 4, paragraph (a), excluding clause (1); and

8.24 (ii) meet the supervised practice requirements according to section 148E.055,
8.25 subdivision 4, paragraph (a), clause (2).

8.26 **EFFECTIVE DATE.** This section is effective August 1, 2012.

8.27 **Sec. 4. [148E.0557] LICSW TRANSITION PERIOD EXCEPTION.**

8.28 At any time on or after January 1, 2012, until December 31, 2015, to qualify for
8.29 a licensed independent clinical social worker license, an applicant must submit an
8.30 application to the board for a licensed independent clinical social worker license and:

8.31 (1) hold a current licensed graduate social worker or licensed independent social
8.32 worker license issued through grandparenting under section 148E.0555, subdivision 4
8.33 or 5, and:

9.1 (i) meet all requirements in effect at the time of application according to section
9.2 148E.055, subdivision 5, paragraph (a), excluding clause (1); and

9.3 (ii) meet the supervised practice requirements according to section 148E.055,
9.4 subdivision 5, paragraph (a), clause (3); or

9.5 (2) hold a current licensed graduate social worker or licensed independent social
9.6 worker license issued through grandparenting prior to July 1, 1996, and:

9.7 (i) meet all requirements in effect at the time of application according to section
9.8 148E.055, subdivision 5, paragraph (a), excluding clause (1); and

9.9 (ii) meet the supervised practice requirements according to section 148E.055,
9.10 subdivision 5, paragraph (a), clause (3).

9.11 **EFFECTIVE DATE.** This section is effective August 1, 2012.

9.12 Sec. 5. Minnesota Statutes 2010, section 148E.060, subdivision 1, is amended to read:

9.13 Subdivision 1. **Students and other persons not currently licensed in another**
9.14 **jurisdiction.** (a) The board may issue a temporary license to practice social work to an
9.15 applicant who is not licensed or credentialed to practice social work in any jurisdiction
9.16 but has:

9.17 (1) applied for a license under section 148E.055;

9.18 (2) applied for a temporary license on a form provided by the board;

9.19 (3) submitted a form provided by the board authorizing the board to complete a
9.20 criminal background check;

9.21 (4) passed the applicable licensure examination provided for in section 148E.055;

9.22 (5) attested on a form provided by the board that the applicant has completed the
9.23 requirements for a baccalaureate or graduate degree in social work from a program
9.24 accredited by the Council on Social Work Education, the Canadian Association of Schools
9.25 of Social Work, or a similar ~~accreditation~~ accrediting body designated by the board, or a
9.26 doctorate in social work from an accredited university; and

9.27 (6) not engaged in conduct that was or would be in violation of the standards of
9.28 practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in
9.29 conduct that was or would be in violation of the standards of practice, the board may take
9.30 action according to sections 148E.255 to 148E.270.

9.31 (b) A temporary license issued under this subdivision expires after six months.

9.32 **EFFECTIVE DATE.** This section is effective August 1, 2012.

9.33 Sec. 6. Minnesota Statutes 2010, section 148E.060, subdivision 2, is amended to read:

10.1 Subd. 2. **Emergency situations and persons currently licensed in another**
10.2 **jurisdiction.** (a) The board may issue a temporary license to practice social work to an
10.3 applicant who is licensed or credentialed to practice social work in another jurisdiction,
10.4 may or may not have applied for a license under section 148E.055, and has:

10.5 (1) applied for a temporary license on a form provided by the board;

10.6 (2) submitted a form provided by the board authorizing the board to complete a
10.7 criminal background check;

10.8 (3) submitted evidence satisfactory to the board that the applicant is currently
10.9 licensed or credentialed to practice social work in another jurisdiction;

10.10 (4) attested on a form provided by the board that the applicant has completed the
10.11 requirements for a baccalaureate or graduate degree in social work from a program
10.12 accredited by the Council on Social Work Education, the Canadian Association of Schools
10.13 of Social Work, or a similar ~~accreditation~~ accrediting body designated by the board, or a
10.14 doctorate in social work from an accredited university; and

10.15 (5) not engaged in conduct that was or would be in violation of the standards of
10.16 practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in
10.17 conduct that was or would be in violation of the standards of practice, the board may take
10.18 action according to sections 148E.255 to 148E.270.

10.19 (b) A temporary license issued under this subdivision expires after six months.

10.20 **EFFECTIVE DATE.** This section is effective August 1, 2012.

10.21 Sec. 7. Minnesota Statutes 2010, section 148E.060, is amended by adding a subdivision
10.22 to read:

10.23 Subd. 2a. **Programs in candidacy status.** (a) The board may issue a temporary
10.24 license to practice social work to an applicant who has completed the requirements for a
10.25 baccalaureate or graduate degree in social work from a program in candidacy status with
10.26 the Council on Social Work Education, the Canadian Association of Schools of Social
10.27 Work, or a similar accrediting body designated by the board, and has:

10.28 (1) applied for a license under section 148E.055;

10.29 (2) applied for a temporary license on a form provided by the board;

10.30 (3) submitted a form provided by the board authorizing the board to complete a
10.31 criminal background check;

10.32 (4) passed the applicable licensure examination provided for in section 148E.055;

10.33 and

10.34 (5) not engaged in conduct that is in violation of the standards of practice specified
10.35 in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that is in

11.1 violation of the standards of practice, the board may take action according to sections
11.2 148E.255 to 148E.270.

11.3 (b) A temporary license issued under this subdivision expires after 12 months but
11.4 may be extended at the board's discretion upon a showing that the social work program
11.5 remains in good standing with the Council on Social Work Education, the Canadian
11.6 Association of Schools of Social Work, or a similar accrediting body designated by the
11.7 board. If the board receives notice from the Council on Social Work Education, the
11.8 Canadian Association of Schools of Social Work, or a similar accrediting body designated
11.9 by the board that the social work program is not in good standing, or that the accreditation
11.10 will not be granted to the social work program, the temporary license is immediately
11.11 revoked.

11.12 **EFFECTIVE DATE.** This section is effective August 1, 2012.

11.13 Sec. 8. Minnesota Statutes 2010, section 148E.060, subdivision 3, is amended to read:

11.14 Subd. 3. **Teachers.** (a) The board may issue a temporary license to practice social
11.15 work to an applicant whose permanent residence is outside the United States, who is
11.16 teaching social work at an academic institution in Minnesota for a period not to exceed
11.17 12 months, who may or may not have applied for a license under section 148E.055, and
11.18 who has:

11.19 (1) applied for a temporary license on a form provided by the board;

11.20 (2) submitted a form provided by the board authorizing the board to complete a
11.21 criminal background check;

11.22 (3) attested on a form provided by the board that the applicant has completed the
11.23 requirements for a baccalaureate or graduate degree in social work; and

11.24 (4) has not engaged in conduct that was or would be in violation of the standards
11.25 of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in
11.26 conduct that was or would be in violation of the standards of practice, the board may take
11.27 action according to sections 148E.255 to 148E.270.

11.28 (b) A temporary license issued under this subdivision expires after 12 months.

11.29 **EFFECTIVE DATE.** This section is effective August 1, 2012.

11.30 Sec. 9. Minnesota Statutes 2010, section 148E.060, subdivision 5, is amended to read:

11.31 Subd. 5. **Temporary license term.** (a) A temporary license is valid until expiration,
11.32 or until the board issues or denies the license according to section 148E.055, or until

12.1 the board revokes the temporary license, whichever comes first. A temporary license is
12.2 nonrenewable.

12.3 ~~(b) A temporary license issued according to subdivision 1 or 2 expires after six~~
12.4 ~~months.~~

12.5 ~~(c) A temporary license issued according to subdivision 3 expires after 12 months.~~

12.6 **EFFECTIVE DATE.** This section is effective August 1, 2011.

12.7 Sec. 10. Minnesota Statutes 2010, section 148E.065, subdivision 2, is amended to read:

12.8 Subd. 2. **Students.** An internship, externship, or any other social work experience
12.9 that is required for the completion of an accredited program of social work does not
12.10 constitute the practice of social work under this chapter. Students exempted under this
12.11 section may use the title "social work intern."

12.12 **EFFECTIVE DATE.** This section is effective August 1, 2012.

12.13 Sec. 11. Minnesota Statutes 2010, section 148E.065, subdivision 4, is amended to read:

12.14 Subd. 4. **City, county, and state agency social workers.** The licensure of city,
12.15 county, and state agency social workers is voluntary. City, county, and state agencies
12.16 employing social workers are not required to employ licensed social workers.

12.17 This subdivision expires July 1, 2016.

12.18 **EFFECTIVE DATE.** This section is effective August 1, 2012.

12.19 Sec. 12. Minnesota Statutes 2010, section 148E.065, is amended by adding a
12.20 subdivision to read:

12.21 Subd. 4a. **City, county, and state social workers.** (a) Beginning July 1, 2016, the
12.22 licensure of city, county, and state agency social workers is voluntary, except an individual
12.23 who is newly employed by a city or state agency after July 1, 2016, must be licensed
12.24 if the individual who provides social work services, as those services are defined in
12.25 section 148E.010, subdivision 11, paragraph (b), is presented to the public by any title
12.26 incorporating the words "social work" or "social worker."

12.27 (b) City, county, and state agencies employing social workers are not required to
12.28 employ licensed social workers.

12.29 **EFFECTIVE DATE.** This section is effective July 1, 2012.

12.30 Sec. 13. Minnesota Statutes 2010, section 148E.065, subdivision 5, is amended to read:

13.1 Subd. 5. **Tribes and private nonprofit agencies; voluntary licensure.** The
13.2 licensure of social workers who are employed by federally recognized tribes, or by private
13.3 nonprofit agencies whose primary service focus addresses ethnic minority populations,
13.4 and who are themselves members of ethnic minority populations within those agencies, is
13.5 voluntary.

13.6 This subdivision expires July 1, 2016.

13.7 **EFFECTIVE DATE.** This section is effective August 1, 2012.

13.8 Sec. 14. Minnesota Statutes 2010, section 148E.065, is amended by adding a
13.9 subdivision to read:

13.10 Subd. 5a. **Tribes and private nonprofit agencies; voluntary licensure.** (a) The
13.11 licensure of social workers who are employed by federally recognized tribes is voluntary.

13.12 (b) The licensure of private, nonprofit, nontribal agency social workers whose
13.13 primary service focus addresses ethnic minority populations, and who are themselves
13.14 members of ethnic minority populations within those agencies, is voluntary until July 1,
13.15 2016, when newly employed individuals who practice social work must be licensed as
13.16 required under section 148E.055, subdivision 1.

13.17 **EFFECTIVE DATE.** This section is effective July 1, 2012.

13.18 Sec. 15. Minnesota Statutes 2010, section 148E.120, is amended to read:

13.19 **148E.120 REQUIREMENTS OF SUPERVISORS.**

13.20 Subdivision 1. **Supervisors licensed as social workers.** (a) Except as provided in
13.21 ~~paragraph (d)~~ subdivision 2, to be eligible to provide supervision under this section, a
13.22 social worker must:

13.23 (1) have completed 30 hours of training in supervision through coursework from
13.24 an accredited college or university, or through continuing education in compliance with
13.25 sections 148E.130 to 148E.170;

13.26 (2) be competent in the activities being supervised; and

13.27 (3) attest, on a form provided by the board, that the social worker has met the
13.28 applicable requirements specified in this section and sections 148E.100 to 148E.115. The
13.29 board may audit the information provided to determine compliance with the requirements
13.30 of this section.

13.31 (b) A licensed independent clinical social worker providing clinical licensing
13.32 supervision to a licensed graduate social worker or a licensed independent social worker
13.33 must have at least 2,000 hours of experience in authorized social work practice, including

14.1 1,000 hours of experience in clinical practice after obtaining a licensed independent
14.2 clinical social worker license.

14.3 (c) A licensed social worker, licensed graduate social worker, licensed independent
14.4 social worker, or licensed independent clinical social worker providing nonclinical
14.5 licensing supervision must have completed the supervised practice requirements specified
14.6 in section 148E.100, 148E.105, 148E.106, 148E.110, or 148E.115, as applicable.

14.7 ~~(d) If the board determines that supervision is not obtainable from an individual~~
14.8 ~~meeting the requirements specified in paragraph (a), the board may approve an alternate~~
14.9 ~~supervisor according to subdivision 2.~~

14.10 Subd. 2. **Alternate supervisors.** ~~(a) The board may approve an alternate supervisor~~
14.11 ~~if:~~ The board may approve an alternate supervisor as determined in this subdivision. The
14.12 board shall approve up to 25 percent of the required supervision hours by a licensed mental
14.13 health professional who is competent and qualified to provide supervision according to the
14.14 mental health professional's respective licensing board, as established by section 245.462,
14.15 subdivision 18, clauses (1) to (6), or 245.4871, subdivision 27, clauses (1) to (6).

14.16 ~~(1) the board determines that supervision is not obtainable according to paragraph~~
14.17 ~~(b);~~

14.18 ~~(2) the licensee requests in the supervision plan submitted according to section~~
14.19 ~~148E.125, subdivision 1, that an alternate supervisor conduct the supervision;~~

14.20 ~~(3) the licensee describes the proposed supervision and the name and qualifications~~
14.21 ~~of the proposed alternate supervisor; and~~

14.22 ~~(4) the requirements of paragraph (d) are met.~~

14.23 ~~(b) The board may determine that supervision is not obtainable if:~~

14.24 ~~(1) the licensee provides documentation as an attachment to the supervision plan~~
14.25 ~~submitted according to section 148E.125, subdivision 1, that the licensee has conducted a~~
14.26 ~~thorough search for a supervisor meeting the applicable licensure requirements specified~~
14.27 ~~in sections 148E.100 to 148E.115;~~

14.28 ~~(2) the licensee demonstrates to the board's satisfaction that the search was~~
14.29 ~~unsuccessful; and~~

14.30 ~~(3) the licensee describes the extent of the search and the names and locations of~~
14.31 ~~the persons and organizations contacted.~~

14.32 ~~(c) The requirements specified in paragraph (b) do not apply to obtaining licensing~~
14.33 ~~supervision for social work practice if the board determines that there are five or fewer~~
14.34 ~~supervisors meeting the applicable licensure requirements in sections 148E.100 to~~
14.35 ~~148E.115 in the county where the licensee practices social work.~~

14.36 ~~(d) An alternate supervisor must:~~

15.1 ~~(1) be an unlicensed social worker who is employed in, and provides the supervision~~
15.2 ~~in, a setting exempt from licensure by section 148E.065, and who has qualifications~~
15.3 ~~equivalent to the applicable requirements specified in sections 148E.100 to 148E.115;~~

15.4 ~~(2) be a social worker engaged in authorized practice in Iowa, Manitoba, North~~
15.5 ~~Dakota, Ontario, South Dakota, or Wisconsin, and has the qualifications equivalent to the~~
15.6 ~~applicable requirements specified in sections 148E.100 to 148E.115; or~~

15.7 ~~(3) be a licensed marriage and family therapist or a mental health professional~~
15.8 ~~as established by section 245.462, subdivision 18, or 245.4871, subdivision 27, or an~~
15.9 ~~equivalent mental health professional, as determined by the board, who is licensed or~~
15.10 ~~credentialed by a state, territorial, provincial, or foreign licensing agency.~~

15.11 ~~(c) In order to qualify to provide clinical supervision of a licensed graduate social~~
15.12 ~~worker or licensed independent social worker engaged in clinical practice, the alternate~~
15.13 ~~supervisor must be a mental health professional as established by section 245.462,~~
15.14 ~~subdivision 18, or 245.4871, subdivision 27, or an equivalent mental health professional,~~
15.15 ~~as determined by the board, who is licensed or credentialed by a state, territorial,~~
15.16 ~~provincial, or foreign licensing agency.~~

15.17 (b) The board shall approve up to 100 percent of the required supervision hours by
15.18 an alternate supervisor if the board determines that:

15.19 (1) there are five or fewer supervisors in the county where the licensee practices
15.20 social work who meet the applicable licensure requirements in subdivision 1;

15.21 (2) the supervisor is an unlicensed social worker who is employed in, and provides
15.22 the supervision in, a setting exempt from licensure by section 148E.065, and who has
15.23 qualifications equivalent to the applicable requirements specified in sections 148E.100 to
15.24 148E.115;

15.25 (3) the supervisor is a social worker engaged in authorized social work practice
15.26 in Iowa, Manitoba, North Dakota, Ontario, South Dakota, or Wisconsin, and has the
15.27 qualifications equivalent to the applicable requirements in sections 148E.100 to 148E.115;
15.28 or

15.29 (4) the applicant or licensee is engaged in nonclinical authorized social work
15.30 practice outside of Minnesota and the supervisor meets the qualifications equivalent to
15.31 the applicable requirements in sections 148E.100 to 148E.115, or the supervisor is an
15.32 equivalent mental health professional, as determined by the board, who is credentialed by
15.33 a state, territorial, provincial, or foreign licensing agency; or

15.34 (5) the applicant or licensee is engaged in clinical authorized social work practice
15.35 outside of Minnesota and the supervisor meets qualifications equivalent to the applicable
15.36 requirements in section 148E.115, or the supervisor is an equivalent mental health

16.1 professional as determined by the board, who is credentialed by a state, territorial,
16.2 provincial, or foreign licensing agency.

16.3 (c) In order for the board to consider an alternate supervisor under this section,
16.4 the licensee must:

16.5 (1) request in the supervision plan and verification submitted according to section
16.6 148E.125, that an alternate supervisor conduct the supervision; and

16.7 (2) describe the proposed supervision and the name and qualifications of the
16.8 proposed alternate supervisor. The board may audit the information provided to determine
16.9 compliance with the requirements of this section.

16.10 **EFFECTIVE DATE.** This section is effective August 1, 2012.

16.11 Sec. 16. Minnesota Statutes 2010, section 148E.195, subdivision 2, is amended to read:

16.12 Subd. 2. **Representations.** (a) No applicant or other individual may be represented
16.13 to the public by any title incorporating the words "social work" or "social worker" unless
16.14 the individual holds a license according to sections 148E.055 and 148E.060 or practices in
16.15 a setting exempt from licensure according to section 148E.065.

16.16 (b) In all professional use of a social worker's name, the social worker must use
16.17 the license designation "LSW" or "licensed social worker" for a licensed social worker,
16.18 "LGSW" or "licensed graduate social worker" for a licensed graduate social worker,
16.19 "LISW" or "licensed independent social worker" for a licensed independent social worker,
16.20 or "LICSW" or "licensed independent clinical social worker" for a licensed independent
16.21 clinical social worker.

16.22 (c) Public statements or advertisements must not be untruthful, misleading, false,
16.23 fraudulent, deceptive, or potentially exploitative of clients, former clients, interns,
16.24 students, supervisees, or the public.

16.25 (d) A social worker must not:

16.26 (1) use licensure status as a claim, promise, or guarantee of successful service;

16.27 (2) obtain a license by cheating or employing fraud or deception;

16.28 (3) make false statements or misrepresentations to the board or in materials
16.29 submitted to the board; or

16.30 (4) engage in conduct that has the potential to deceive or defraud a social work
16.31 client, intern, student, supervisee, or the public.

16.32 (e) This subdivision expires July 1, 2016.

16.33 **EFFECTIVE DATE.** This section is effective August 1, 2012.

17.1 Sec. 17. Minnesota Statutes 2010, section 148E.195, is amended by adding a
17.2 subdivision to read:

17.3 Subd. 2a. **Representations.** Effective July 1, 2016:

17.4 (a) No applicant or other individual may be represented to the public by any title
17.5 incorporating the words "social work" or "social worker" unless the individual is employed
17.6 by a county or holds a license according to this chapter.

17.7 (b) In all professional use of a social worker's name, the social worker must use
17.8 the license designation "LSW" or "licensed social worker" for a licensed social worker,
17.9 "LGSW" or "licensed graduate social worker" for a licensed graduate social worker,
17.10 "LISW" or "licensed independent social worker" for a licensed independent social worker,
17.11 or "LICSW" or "licensed independent clinical social worker" for a licensed independent
17.12 clinical social worker.

17.13 (c) Public statements or advertisements must not be untruthful, misleading, false,
17.14 fraudulent, deceptive, or potentially exploitative of clients, former clients, interns,
17.15 students, supervisees, or the public.

17.16 (d) A social worker must not:

17.17 (1) use licensure status as a claim, promise, or guarantee of successful service;

17.18 (2) obtain a license by cheating or employing fraud or deception;

17.19 (3) make false statements or misrepresentations to the board or in materials
17.20 submitted to the board; or

17.21 (4) engage in conduct that has the potential to deceive or defraud a social work
17.22 client, intern, student, supervisee, or the public.

17.23 **EFFECTIVE DATE.** This section is effective July 1, 2012.

17.24 Sec. 18. Minnesota Statutes 2010, section 148E.280, is amended to read:

17.25 **148E.280 USE OF TITLES.**

17.26 (a) No individual may be presented to the public by any title incorporating the words
17.27 "social work" or "social worker" or in the titles in section 148E.195, unless that individual
17.28 holds a license under sections 148E.055 and 148E.060, or practices in a setting exempt
17.29 from licensure under section 148E.065.

17.30 This paragraph expires July 1, 2016.

17.31 (b) Effective July 1, 2016, no individual may be presented to the public by any
17.32 title incorporating the words "social work" or "social worker" or in the titles in section
17.33 148E.195, unless that individual is employed by a county or holds a license under this
17.34 chapter.

18.1 **EFFECTIVE DATE.** This section is effective August 1, 2012.

18.2 Sec. 19. **REPEALER.**

18.3 Minnesota Statutes 2010, section 148E.065, subdivision 3, is repealed August 1,

18.4 2011.

APPENDIX
Repealed Minnesota Statutes: H1191-1

148E.065 EXEMPTIONS.

Subd. 3. **Geographic waiver.** A geographic waiver may be granted by the board on a case-by-case basis to agencies with special regional hiring problems. The waiver is for the purpose of permitting agencies to hire individuals who do not meet the qualifications of section 148E.055 or 148E.060 to practice social work.