

## State of Minnesota

**HOUSE OF REPRESENTATIVES****Unofficial Engrossment**

## House Engrossment of a Senate File

EIGHTY-SEVENTH SESSION

**S. F. No. 288**

Senate Author(s): Howe, Brown, Pederson and Sieben

House Action

05/16/2011 Companion to House File No. 614. (Authors: Kelly, Norton and Peterson, S.,)

Read First Time and Referred to the Committee on Health and Human Services Finance

02/22/2012 Adoption of Report: Pass as Amended and re-referred to Ways and Means

1.1 A bill for an act  
 1.2 relating to occupations and professions; changing licensing provisions to practice  
 1.3 social work; regulating dental laboratories; establishing fees; appropriating  
 1.4 money; amending Minnesota Statutes 2010, sections 148E.055, subdivision  
 1.5 1; 148E.060, subdivisions 1, 2, 3, 5, by adding a subdivision; 148E.065,  
 1.6 subdivisions 2, 4, 5; 148E.120; 148E.195, subdivision 2; 148E.280; proposing  
 1.7 coding for new law in Minnesota Statutes, chapters 148E; 150A; repealing  
 1.8 Minnesota Statutes 2010, section 148E.065, 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, 2016, an individual who is newly employed by a city or  
 1.22 state agency or a private nonprofit, nontribal agency previously exempt from licensure  
 1.23 under Minnesota Statutes 2010, section 148D.065, subdivision 5, and section 148E.065,  
 1.24 subdivision 5, must be licensed if:

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

2.1 (2) the individual has a baccalaureate or graduate degree in social work from a  
2.2 program accredited by the Council on Social Work Education, the Canadian Association  
2.3 of Schools of Social Work, or a similar accrediting body designated by the board, and the  
2.4 individual provides social work services, including clinical social work services, as those  
2.5 services are defined in section 148E.010, subdivisions 6 and 11.

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

2.7 Sec. 2. **[148E.0555] LICENSE REQUIREMENTS; GRANDFATHERING.**

2.8 Subdivision 1. **Grandfathering period.** (a) The board shall issue a license to an  
2.9 applicant who meets all the requirements in this section and has submitted a completed,  
2.10 signed application and the required fee between January 1, 2013, and December 31, 2014.

2.11 (b) If the applicant does not provide all of the information requested by the board  
2.12 by December 31, 2015, the applicant is considered ineligible and the application for  
2.13 licensure is closed.

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

2.17 (1) Minnesota city or state agency, and:

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

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

2.25 (2) private nonprofit, nontribal agency whose primary service focus addresses ethnic  
2.26 minority populations, and the applicant is a member of an ethnic minority population  
2.27 within the agency, previously exempt from licensure under Minnesota Statutes 2010,  
2.28 section 148D.065, subdivision 5, and in section 148E.065, subdivision 5, and:

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

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

3.1 Subd. 3. Qualifications during grandfathering period for licensure as licensed  
3.2 social worker (LSW). (a) To be licensed as a licensed social worker (LSW), an applicant  
3.3 for licensure under this section must provide evidence satisfactory to the board that the  
3.4 individual has completed a baccalaureate degree:

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

3.8 (2) in psychology, sociology, human services, or social and behavioral sciences  
3.9 from an accredited college or university; or

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

3.12 (b) To be licensed as an LSW, an applicant for licensure under this section must  
3.13 provide evidence satisfactory to the board that the individual has:

3.14 (1) submitted a completed, signed application and the license fee in section  
3.15 148E.180;

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

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

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

3.21 (5) not engaged in conduct that was or would be in violation of the standards  
3.22 of practice specified in Minnesota Statutes 2010, sections 148D.195 to 148D.240 and  
3.23 sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or  
3.24 would be in violation of the standards of practice, the board may take action according to  
3.25 sections 148E.255 to 148E.270.

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

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

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

3.35 (f) Prelicensure supervised practice hours may be applied to meet the requirements  
3.36 of this section. Hours obtained prior to August 1, 2012, must meet the supervised practice

4.1 requirements in Minnesota Statutes 2010, sections 148D.100 to 148D.125, and hours  
4.2 obtained on or after August 1, 2012, must meet the supervised practice requirements in  
4.3 sections 148E.100 to 148E.125.

4.4 (g) In addition to the required supervisors listed in Minnesota Statutes 2010,  
4.5 section 148D.120 and section 148E.120, an alternate supervisor may include a qualified  
4.6 professional who has a bachelor's or graduate degree, and the authority to direct the  
4.7 practice of the applicant including, but not limited to, an agency director or agency or  
4.8 consulting supervisor, as determined appropriate by the board.

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

4.13 Subd. 4. **Qualifications during grandfathering period for licensure as licensed**  
4.14 **graduate social worker (LGSW).** (a) To be licensed as a licensed graduate social worker  
4.15 (LGSW), an applicant for licensure under this section must provide evidence satisfactory  
4.16 to the board that the individual has completed a graduate degree:

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

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

4.22 (3) with a major in any field from an accredited college or university, and one year  
4.23 of experience in the practice of social work as described in section 148E.010, subdivisions  
4.24 6 and 11.

4.25 (b) To be licensed as an LGSW, an applicant for licensure under this section must  
4.26 provide evidence satisfactory to the board that the individual has:

4.27 (1) submitted a completed, signed application and the license fee in section  
4.28 148E.180;

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

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

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

4.34 (5) not engaged in conduct that was or would be in violation of the standards  
4.35 of practice specified in Minnesota Statutes 2010, sections 148D.195 to 148D.240 and  
4.36 sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or

5.1 would be in violation of the standards of practice, the board may take action according to  
5.2 sections 148E.255 to 148E.270.

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

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

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

5.12 (f) Prelicensure supervised practice hours may be applied to meet the requirements  
5.13 of this section. Hours obtained prior to August 1, 2012, must meet the supervised practice  
5.14 requirements in Minnesota Statutes 2010, sections 148D.100 to 148D.125, and hours  
5.15 obtained on or after August 1, 2012, must meet the supervised practice requirements in  
5.16 sections 148E.100 to 148E.125.

5.17 (g) In addition to the required supervisors listed in Minnesota Statutes 2010, section  
5.18 148D.120, and in section 148E.120, an alternate supervisor of nonclinical practice may  
5.19 include a qualified professional who has a bachelor's or graduate degree, and the authority  
5.20 to direct the practice of the applicant including, but not limited to, an agency director or  
5.21 agency or consulting supervisor, as determined appropriate by the board.

5.22 (h) Unless completed at the time of application for licensure, a licensee granted a  
5.23 license by the board under this section must meet the supervised practice requirements  
5.24 specified in sections 148E.100 to 148E.125. If a licensee does not meet the supervised  
5.25 practice requirements, the board may take action according to sections 148E.255 to  
5.26 148E.270.

5.27 **Subd. 5. Qualifications during grandfathering period for licensure as a licensed**  
5.28 **independent social worker (LISW).** (a) To be licensed as a licensed independent social  
5.29 worker (LISW), an applicant for licensure under this section must provide evidence  
5.30 satisfactory to the board that the individual has completed a graduate degree:

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

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

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

6.3 (b) To be licensed as an LISW, an applicant for licensure under this section must  
6.4 provide evidence satisfactory to the board that the individual has:

6.5 (1) practiced social work as defined in section 148E.010, subdivision 11, and has  
6.6 met the supervised practice requirements as follows:

6.7 (i) for hours obtained prior to August 1, 2012, has met the requirements in Minnesota  
6.8 Statutes 2010, sections 148D.100 to 148D.125;

6.9 (ii) for hours obtained after August 1, 2012, has met the requirements in sections  
6.10 148E.100 to 148E.125; and

6.11 (iii) in addition to the supervisors listed in Minnesota Statutes 2010, section  
6.12 148D.120 or section 148E.120, an alternate supervisor of nonclinical practice may include  
6.13 a qualified professional who has a bachelor's or graduate degree and the authority to direct  
6.14 the practice of the applicant including, but not limited to, an agency director or agency or  
6.15 consulting supervisor as determined by the board;

6.16 (2) submitted a completed, signed application and the license fee in section  
6.17 148E.180;

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

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

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

6.23 (6) not engaged in conduct that was or would be in violation of the standards  
6.24 of practice specified in Minnesota Statutes 2010, sections 148D.195 to 148D.240, and  
6.25 in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or  
6.26 would be in violation of the standards of practice, the board may take action according to  
6.27 sections 148E.255 to 148E.270.

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

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

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

7.1 (f) Upon licensure, an LISW who practices clinical social work must meet the  
7.2 supervised practice requirements specified in sections 148E.100 to 148E.125. If a licensee  
7.3 does not meet the supervised practice requirements, the board may take action according  
7.4 to sections 148E.255 to 148E.270.

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

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

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

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

7.17 (1) practiced clinical social work as defined in section 148E.010, subdivision 6,  
7.18 including both diagnosis and treatment, and has met the supervised practice requirements  
7.19 specified in sections 148E.100 to 148E.125, excluding the 1,800 hours of direct clinical  
7.20 client contact specified in section 148E.115, subdivision 1, except that supervised practice  
7.21 hours obtained prior to August 1, 2012, must meet the requirements in Minnesota Statutes  
7.22 2010, sections 148D.100 to 148D.125;

7.23 (2) submitted a completed, signed application and the license fee in section  
7.24 148E.180;

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

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

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

7.30 (6) not engaged in conduct that was or would be in violation of the standards  
7.31 of practice specified in Minnesota Statutes 2010, sections 148D.195 to 148D.240, and  
7.32 in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or  
7.33 would be in violation of the standards of practice, the board may take action according to  
7.34 sections 148E.255 to 148E.270.

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

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

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

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

8.8 Sec. 3. **[148E.0556] LICENSED INDEPENDENT SOCIAL WORKER**  
8.9 **TRANSITION PERIOD EXCEPTION.**

8.10 At any time on or after January 1, 2013, until December 31, 2017, to qualify for  
8.11 a licensed independent social worker (LISW) license, an applicant must submit an  
8.12 application to the board for an LISW license and:

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

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

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

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

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

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

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

8.26 Sec. 4. **[148E.0557] LICENSED INDEPENDENT CLINICAL SOCIAL**  
8.27 **WORKER TRANSITION PERIOD EXCEPTION.**

8.28 At any time on or after January 1, 2013, until December 31, 2017, to qualify for a  
8.29 licensed independent clinical social worker (LICSW) license, an applicant must submit an  
8.30 application to the board for an LICSW license and:

8.31 (1) hold a current licensed graduate social worker or licensed independent social  
8.32 worker license issued through grandfathering 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 grandfathering 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, 2012.

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.** (a) The licensure of  
12.15 city, county, and state agency social workers is voluntary, except an individual who  
12.16 is newly employed by a city or state agency on or after July 1, 2016, must be licensed  
12.17 if the individual who provides social work services, as those services are defined in  
12.18 section 148E.010, subdivision 11, paragraph (b), is presented to the public by any title  
12.19 incorporating the words "social work" or "social worker."

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

12.22 **EFFECTIVE DATE.** This section is effective July 1, 2016.

12.23 Sec. 12. Minnesota Statutes 2010, section 148E.065, subdivision 5, is amended to read:

12.24 Subd. 5. **Tribes and private nonprofit agencies; voluntary licensure.** (a) The  
12.25 licensure of social workers who are employed by federally recognized tribes, or by private  
12.26 nonprofit agencies is voluntary.

12.27 (b) The licensure of private, nonprofit, nontribal agency social workers whose  
12.28 primary service focus addresses ethnic minority populations, and who are themselves  
12.29 members of ethnic minority populations within those agencies, is voluntary until July 1,  
12.30 2016, when newly employed individuals who practice social work must be licensed as  
12.31 required under section 148E.055, subdivision 1.

13.1 **EFFECTIVE DATE.** This section is effective July 1, 2016.

13.2 Sec. 13. Minnesota Statutes 2010, section 148E.120, is amended to read:

13.3 **148E.120 REQUIREMENTS OF SUPERVISORS.**

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

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

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

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

13.15 (b) A licensed independent clinical social worker providing clinical licensing  
13.16 supervision to a licensed graduate social worker or a licensed independent social worker  
13.17 must have at least 2,000 hours of experience in authorized social work practice, including  
13.18 1,000 hours of experience in clinical practice after obtaining a licensed independent  
13.19 clinical social worker license.

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

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

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

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

14.1 ~~(2) the licensee requests in the supervision plan submitted according to section~~  
14.2 ~~148E.125, subdivision 1, that an alternate supervisor conduct the supervision;~~

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

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

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

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

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

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

14.15 ~~(c) The requirements specified in paragraph (b) do not apply to obtaining licensing~~  
14.16 ~~supervision for social work practice if the board determines that there are five or fewer~~  
14.17 ~~supervisors meeting the applicable licensure requirements in sections 148E.100 to~~  
14.18 ~~148E.115 in the county where the licensee practices social work.~~

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

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

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

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

14.30 ~~(e) In order to qualify to provide clinical supervision of a licensed graduate social~~  
14.31 ~~worker or licensed independent social worker engaged in clinical practice, the alternate~~  
14.32 ~~supervisor must be a mental health professional as established by section 245.462,~~  
14.33 ~~subdivision 18, or 245.4871, subdivision 27, or an equivalent mental health professional,~~  
14.34 ~~as determined by the board, who is licensed or credentialed by a state, territorial,~~  
14.35 ~~provincial, or foreign licensing agency.~~

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

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

15.5 (2) the supervisor is an unlicensed social worker who is employed in, and provides  
15.6 the supervision in, a setting exempt from licensure by section 148E.065, and who has  
15.7 qualifications equivalent to the applicable requirements specified in sections 148E.100 to  
15.8 148E.115;

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

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

15.17 (5) the applicant or licensee is engaged in clinical authorized social work practice  
15.18 outside of Minnesota and the supervisor meets qualifications equivalent to the applicable  
15.19 requirements in section 148E.115, or the supervisor is an equivalent mental health  
15.20 professional as determined by the board, who is credentialed by a state, territorial,  
15.21 provincial, or foreign licensing agency.

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

15.24 (1) request in the supervision plan and verification submitted according to section  
15.25 148E.125 that an alternate supervisor conduct the supervision; and

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

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

15.30 Sec. 14. Minnesota Statutes 2010, section 148E.195, subdivision 2, is amended to read:

15.31 Subd. 2. **Representations.** (a) No applicant or other individual may be represented  
15.32 to the public by any title incorporating the words "social work" or "social worker"  
15.33 unless the individual is employed by a county or holds a license according to sections  
15.34 148E.055 and 148E.060 or practices in a setting exempt from licensure according to  
15.35 section 148E.065 this chapter.

16.1 (b) In all professional use of a social worker's name, the social worker must use  
 16.2 the license designation "LSW" or "licensed social worker" for a licensed social worker,  
 16.3 "LGSW" or "licensed graduate social worker" for a licensed graduate social worker,  
 16.4 "LISW" or "licensed independent social worker" for a licensed independent social worker,  
 16.5 or "LICSW" or "licensed independent clinical social worker" for a licensed independent  
 16.6 clinical social worker.

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

16.10 (d) A social worker must not:

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

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

16.13 (3) make false statements or misrepresentations to the board or in materials  
 16.14 submitted to the board; or

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

16.17 **EFFECTIVE DATE.** This section is effective July 1, 2016.

16.18 Sec. 15. Minnesota Statutes 2010, section 148E.280, is amended to read:

16.19 **148E.280 USE OF TITLES.**

16.20 No individual may be presented to the public by any title incorporating the words  
 16.21 "social work" or "social worker" or in the titles in section 148E.195, unless that individual  
 16.22 is employed by a county or holds a license under sections 148E.055 and 148E.060, or  
 16.23 practices in a setting exempt from licensure under section 148E.065 this chapter.

16.24 **EFFECTIVE DATE.** This section is effective July 1, 2016.

16.25 Sec. 16. **[150A.24] DEFINITIONS.**

16.26 Subdivision 1. **Scope.** For the purposes of sections 150A.24 to 150A.32, the  
 16.27 following terms have the meanings given.

16.28 Subd. 2. **Certified dental technician.** "Certified dental technician" means a dental  
 16.29 technician who has met the standards set by the National Board for Certification in Dental  
 16.30 Laboratory Technology or its equivalent as established by the Board of Dentistry.

16.31 Subd. 3. **Dental laboratory.** "Dental laboratory" means a corporation, partnership,  
 16.32 sole proprietor, or other business entity engaged in the manufacture or repair of dental  
 16.33 prosthetic appliances.

17.1 Subd. 4. **Work authorization.** "Work authorization" means a written instrument  
17.2 by which a registered or certified dental laboratory subcontracts to another registered or  
17.3 certified dental laboratory all or part of the fabrication or repair of a dental prosthetic  
17.4 appliance authorized by a work order by a dentist licensed under this chapter.

17.5 Subd. 5. **Work order.** "Work order" means a written instrument prescribed by a  
17.6 dentist licensed under this chapter directing a registered or certified dental laboratory to  
17.7 manufacture, fabricate, or repair a dental prosthetic appliance for an individual patient.

17.8 **EFFECTIVE DATE.** This section is effective January 1, 2013.

17.9 Sec. 17. **[150A.25] REGISTRATION FOR DENTAL LABORATORIES.**

17.10 Subdivision 1. **General.** Beginning January 1, 2013, all dental laboratories  
17.11 physically located in Minnesota must register with the Board of Dentistry according to  
17.12 sections 150A.24 to 150A.32. A dental laboratory that is physically located within a dental  
17.13 practice is not required to register if the dental prosthetic appliances are manufactured or  
17.14 repaired for the exclusive use of the dentist or dentists within the dental practice.

17.15 Subd. 2. **Registration requirements.** (a) An application for an initial registration  
17.16 must be submitted to the board on a form provided by the board accompanied with the  
17.17 registration fee required under section 150A.32. The application must contain:

17.18 (1) the business name of the laboratory;

17.19 (2) the physical address of the laboratory;

17.20 (3) the name of the laboratory's owner or operator; and

17.21 (4) the telephone number and e-mail address of the laboratory owner or operator.

17.22 (b) It is the responsibility of the dental laboratory to notify the board of any change  
17.23 in the registration information required under paragraph (a).

17.24 Subd. 3. **Unique registration number.** Upon approval, the board shall issue a  
17.25 registration and a unique registration number to the dental laboratory.

17.26 Subd. 4. **Registration term.** Upon initial registration with the board, a dental  
17.27 laboratory is not required to renew that registration.

17.28 **EFFECTIVE DATE.** This section is effective January 1, 2013.

17.29 Sec. 18. **[150A.26] CERTIFICATION FOR DENTAL LABORATORIES.**

17.30 Subdivision 1. **General.** Beginning January 1, 2013, a dental laboratory may be  
17.31 certified by the Board of Dentistry according to sections 150A.24 to 150A.32.

18.1 Subd. 2. **Certification requirements.** An application for an initial certification and  
18.2 for renewal must be submitted to the board on a form provided by the board accompanied  
18.3 with the certification fee required under section 150A.32. The application must contain:

18.4 (1) the name of the laboratory;

18.5 (2) the physical address of the laboratory;

18.6 (3) verification that the laboratory meets the infectious disease control requirements  
18.7 under Occupational Safety and Health Administration and the Centers for Disease Control  
18.8 and Prevention of the United States Public Health Services;

18.9 (4) verification that the laboratory has:

18.10 (i) at least one full-time certified dental technician employee in the laboratory; and

18.11 (ii) National Board for Certification in Dental Laboratory Technology certification; or

18.12 (iii) International Organization for Standardization certification; or

18.13 (iv) Dental Appliance Manufacturers Audit System certification; and

18.14 (5) any other relevant information deemed necessary by the board.

18.15 Subd. 3. **Unique certification number.** Upon approval, the board shall issue a  
18.16 certification and a unique certification number to the dental laboratory.

18.17 Subd. 4. **Certification term; renewal.** (a) Certification shall be valid for two years  
18.18 from the date of issuance and may be renewed upon submitting the information required  
18.19 in subdivision 2 and the certification renewal fee required in section 150A.32.

18.20 (b) At renewal, a certified dental laboratory must submit an affidavit to the board,  
18.21 on a form prescribed by the board, that each dental technician employed by or under  
18.22 contract with the laboratory has met the continuing education requirements specified  
18.23 in section 150A.31.

18.24 Subd. 5. **Inspections.** (a) The board shall have the authority to inspect a certified  
18.25 dental laboratory and to review any records necessary to ensure that the requirements  
18.26 of sections 150A.24 to 150A.31 are met.

18.27 (b) The board shall have the authority to enter the premises to make an inspection.  
18.28 Refusal to permit an inspection constitutes valid grounds for certification denial or  
18.29 revocation.

18.30 **EFFECTIVE DATE.** This section is effective January 1, 2013.

18.31 Sec. 19. **[150A.27] WORK ORDER REQUIRED.**

18.32 No registered or certified dental laboratory shall perform any dental technological  
18.33 work for a dentist licensed under this chapter without a valid work order from the licensed  
18.34 dentist or a work authorization issued pursuant to a valid work order. A work order or

19.1 work authorization may be handwritten and may be faxed or sent electronically using  
19.2 an electronic signature.

19.3 **EFFECTIVE DATE.** This section is effective January 1, 2013.

19.4 Sec. 20. **[150A.28] MATERIAL CONTENT NOTICE.**

19.5 (a) A dental laboratory shall inform the dentist who issued the work order of:

19.6 (1) the country of origin where the technological work was performed in whole  
19.7 or in part; and

19.8 (2) the name, physical address, and registration number of the laboratory or  
19.9 laboratories that manufactured or repaired the dental prosthesis, either directly or  
19.10 indirectly.

19.11 (b) A dental laboratory shall disclose to the dentist the complete material content  
19.12 of the patient contact materials contained in the dental prosthetic appliance in a manner  
19.13 that can be easily entered into a patient record. Upon receipt of the material content  
19.14 notice, the dentist must include the information in the record of the patient for whom  
19.15 the prosthesis is intended.

19.16 (c) It is the responsibility of the Minnesota licensed dentist to obtain the information  
19.17 as to material content and country of origin for dental laboratory work performed by  
19.18 an out-of-state dental laboratory as must be provided by a dental laboratory physically  
19.19 located in Minnesota and to include this information in the patient's record.

19.20 (d) A registered or certified dental laboratory must comply with section 150A.21.

19.21 **EFFECTIVE DATE.** This section is effective January 1, 2013.

19.22 Sec. 21. **[150A.29] PROHIBITION AGAINST USE OF NONREGISTERED OR**  
19.23 **NONCERTIFIED DENTAL LABORATORIES.**

19.24 (a) A dentist licensed under this chapter must use a dental laboratory registered  
19.25 or certified under sections 150A.24 to 150A.32 for any dental laboratory work that is  
19.26 performed in this state and outside of the office of a licensed dentist.

19.27 (b) No registered or certified dental laboratory shall subcontract all or part of any  
19.28 dental laboratory work that is prescribed by a work order to another dental laboratory in  
19.29 this state unless the laboratory is registered or certified by the board according to sections  
19.30 150A.24 to 150A.32.

19.31 **EFFECTIVE DATE.** This section is effective January 1, 2013.

19.32 Sec. 22. **[150A.31] CONTINUING EDUCATION REQUIREMENTS.**

20.1 (a) A certified dental laboratory must maintain on file documentation certifying that  
20.2 each dental technician employed by or under contract with the laboratory has completed  
20.3 eight hours of continuing education biennially. The documentation for each dental  
20.4 technician must include the date, location, sponsor, subject matter, and attendance hours of  
20.5 each completed continuing education course and any receipts, vouchers, or certificates  
20.6 necessary to document completion of the continuing education requirement. The  
20.7 documentation must be retained for each dental technician for at least two certification  
20.8 renewal cycles.

20.9 (b) A continuing education course must contribute directly to the education of the  
20.10 dental technician to improve dental health care delivery, and must address one or more of  
20.11 the following areas of professional development:

20.12 (1) laboratory and technological subjects including, but not limited to, laboratory  
20.13 techniques, procedures, materials, and equipment; and

20.14 (2) oral health, infection control, and patient safety.

20.15 (c) Continuing education courses must meet the criteria established by the National  
20.16 Board for Certification in Dental Laboratory Technology.

20.17 **EFFECTIVE DATE.** This section is effective January 1, 2013.

20.18 Sec. 23. **[150A.32] FEES.**

20.19 (a) The fee for registration is \$20.

20.20 (b) The fee for the initial certification and biennial renewal may not exceed \$300.

20.21 (c) The fees specified in this section are nonrefundable and shall be deposited in  
20.22 the state government special revenue fund.

20.23 **EFFECTIVE DATE.** This section is effective January 1, 2013.

20.24 Sec. 24. **APPROPRIATIONS.**

20.25 \$..... is appropriated for fiscal year 2013 and \$..... is appropriated for fiscal year  
20.26 2014 from the state government special revenue fund to the Board of Dentistry for the  
20.27 purpose of implementing Minnesota Statutes, sections 150A.24 to 150A.32.

20.28 Sec. 25. **REPEALER.**

20.29 Minnesota Statutes 2010, section 148E.065, subdivision 3, is repealed August 1,  
20.30 2012.

APPENDIX  
Repealed Minnesota Statutes: UES0288-1

**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.