

1 Board of Social Work

2

3 Adopted Permanent Rules Relating to Social Worker Licenses

4

5 Rules as Adopted

6 4740.0100 PURPOSE.

7 Parts 4740.0100 to 4740.0310 protect the public by:

8 A. setting standards of qualifications, training, and
9 experience for those who seek to represent themselves to the
10 public as social workers; and

11 B. promoting high standards of professional
12 performance for those engaged in the practice of social work.

13 Parts 4740.0110 to 4740.0310 contain procedures and
14 guidelines for licensing and regulating social workers.

15 4740.0110 DEFINITIONS.

16 Subpart 1. **Scope.** For the purposes of this chapter,
17 unless the context otherwise requires, the following terms have
18 the meanings given.

19 Subp. 2. **Advertising.** "Advertising" means a communication
20 to a potential client about the availability, nature, or terms
21 of services within the scope of social work practice.

22 Advertising includes business solicitations, with or without
23 limiting qualifications, in a card, sign, or device issued to a
24 person; in a sign or marking in or on a building; in a
25 newspaper, magazine, or other print media; or via live or
26 recorded electronic media.

27 Subp. 3. **Applicant.** "Applicant" means an individual
28 seeking a license as a social worker, graduate social worker,
29 independent social worker, or independent clinical social worker
30 from the Board of Social Work.

31 Subp. 4. **Approval date.** "Approval date" means the date on
32 which the board approves an applicant for licensure because that
33 applicant meets the qualifications for licensure under Minnesota
34 Statutes, section 148B.21 or 148B.23, except for payment of the
35 fee.



1 Subp. 5. Board. "Board" means the Board of Social Work
2 created in Minnesota Statutes, section 148B.19.

3 Subp. 6. Clinical social work. "Clinical social work"
4 means social work that is consistent with the definition of
5 social work practice for licensed independent clinical social
6 workers under Minnesota Statutes, section 148B.18, subdivision
7 11, paragraph (c).

8 Subp. 7. Continuing education. "Continuing education"
9 means 30 continuing education hours within the biennial
10 licensure period. Continuing education is education obtained by
11 a professional social worker licensee to maintain, improve, or
12 expand skills and knowledge related to the practice of social
13 work as defined in parts 4740.0100 to 4740.0310.

14 Subp. 8. Council on Social Work Education. "Council on
15 Social Work Education" means the national accreditation body for
16 social work education as recognized by the United States
17 Department of Education and the National Commission on
18 Accreditation.

19 Subp. 9. Effective date. "Effective date" means the date
20 the applicant, after having paid the required fee, has been
21 issued a number.

22 Subp. 10. Emeritus. "Emeritus" means retired from active
23 practice but retaining one's license and title.

24 Subp. 11. Examination. "Examination" means a national
25 examination that follows the uniform guidelines on employee
26 selection procedures issued by the equal employment opportunity
27 commission, civil service commission, and United States
28 Department of Labor and Justice.

29 Subp. 12. Examination application. "Examination
30 application" means the form supplied by the board, or the agency
31 specified by the board, used in applying for the licensing
32 examination.

33 Subp. 13. Face-to-face supervision. "Face-to-face
34 supervision" means direct in-person supervision. Supervision
35 via telephone or other live electronic media is acceptable
36 supervision if it is logged or recorded and does not account for

1 more than one-quarter of the total number of hours required
2 under part 4740.0130.

3 Subp. 14. **Group supervision.** "Group supervision" means
4 two or more supervisees with one supervisor. Group supervision
5 must not exceed eight hours of the supervisory time required
6 under part 4740.0130.

7 Subp. 15. **Inactive status.** "Inactive status" means
8 holding a valid inactive status license and not engaging in the
9 practice of social work.

10 Subp. 16. **Independent social work.** "Independent social
11 work" means social work that is consistent with the definition
12 of social work practice for licensed independent social workers
13 under Minnesota Statutes, section 148B.18, subdivision 11,
14 paragraph (b).

15 Subp. 17. **Interdisciplinary supervision.**
16 "Interdisciplinary supervision" means team intervention or
17 collaboration, which includes members of different professions
18 or disciplines. Interdisciplinary supervision must not exceed
19 eight hours of the total supervisory time required under part
20 4740.0130.

21 Subp. 18. **Licensee.** "Licensee" means a person holding a
22 license issued by the board.

23 Subp. 19. **Peer supervision.** "Peer supervision" means
24 collegial supervision. Peer supervision must not exceed eight
25 hours of the total supervisory time required under part
26 4740.0130.

27 Subp. 20. **Qualified professional.** "Qualified professional"
28 means an individual who has the authority to direct the practice
29 of the licensee, including but not limited to an agency
30 director, a consulting supervisor, a school principal, or a
31 nursing home administrator whom the board considers appropriate
32 when a social work supervisor, as required, is unobtainable.

33 Subp. 21. **Supervisee.** "Supervisee" means an individual
34 who is engaged in professional practice under the direction of a
35 supervisor.

36 Subp. 22. **Supervisor.** "Supervisor" means a social worker

1 who is licensed or was eligible for licensure during the
2 transition period and under the emergency rules and who has the
3 authority to direct the practice of the licensee. The
4 supervisor must have completed the two years or 4,000 hours of
5 supervised social work experience required under part 4740.0130
6 prior to providing supervision.

7 Subp. 23. **Supervisor's verification.** "Supervisor's
8 verification" means a form supplied by the board attesting to
9 the hours of supervision.

10 Subp. 24. **Transition period.** "Transition period" means
11 the period of time from July 1, 1987, through June 30, 1989,
12 during which a social worker applied for initial licensure by
13 the board.

14 Subp. 25. **Variance.** "Variance" means board authorized
15 permission to comply with a rule in a manner other than that
16 generally specified in the rule.

17 4740.0120 PROCEDURES FOR APPLICATION.

18 Subpart 1. **Information required.** A person seeking a
19 license from the board must submit to the board the information
20 and documents in items A to E.

21 A. An application completed, signed, and notarized on
22 the forms provided by the board. The applicant must furnish all
23 documentation requested on the application.

24 B. The required, nonrefundable fee as specified in
25 part 4740.0290, payable to the Board of Social Work.

26 C. An official copy of the transcript, including
27 verification of the degree granted required for the level of
28 licensure being applied for. Transcripts should be sent
29 directly to the board office from the institution granting the
30 degree.

31 D. Where applicable, verification of two years or
32 4,000 hours of supervised experience in the practice of social
33 work to be completed before the date of application. A
34 supervisor's verification form shall be completed and signed by
35 the supervisor and sent directly to the board office.

1 E. A form provided by the board signed by the
2 applicant's supervisor that states that the requirements for
3 supervision under part 4740.0130 have been met. If an applicant
4 cannot provide a signed statement from the supervisor, the board
5 may accept alternative verification of supervision. The burden
6 of proof of the required supervision rests with the applicant.

7 Subp. 2. **Taking examination prior to graduation.** A person
8 enrolled in an accredited program of social work who expects to
9 graduate within six months after the date of an examination may
10 take the examination before graduation if, prior to the exam
11 date, the board receives from that person:

12 A. a letter from the department chair or advisor that
13 the person is in good standing in an accredited program of
14 social work;

15 B. verification of the expected graduation date; and

16 C. verification that the person is majoring in social
17 work.

18 Subp. 3. **Verification; board authority.** An applicant, by
19 submitting an application, authorizes the board to investigate
20 or contact persons to verify information in the application.
21 The board may request that the applicant provide additional
22 verification or documentation to aid in the board's decision
23 making.

24 4740.0130 SUPERVISION REQUIREMENTS.

25 Subpart 1. **General.** An applicant for a license by the
26 board must show that the applicant has the supervised experience
27 required under the appropriate subpart 3 to 6. The supervised
28 work experience required for a licensee at the licensed social
29 worker (LSW) level under subpart 3 must be documented by the
30 licensee's first biennial renewal. The continuing supervision
31 required for a licensee at the licensed graduate social worker
32 (LGSW) level under subpart 4 must be documented at each license
33 renewal. The supervised work experience required for licensure
34 at the licensed independent social worker (LISW) level under
35 subpart 5 and at the licensed independent clinical social worker

1 (LICSW) level under subpart 6 must be documented at the time of
2 application for those levels.

3 Subp. 2. **Unobtainable supervision.** Supervision shall be
4 determined to be unobtainable if the applicant or licensee
5 provides evidence satisfactory to the board that the applicant
6 or licensee has conducted a thorough search for the supervision
7 required under this part and that the search was unsuccessful.
8 The evidence must be in writing on a variance form supplied by
9 the board.

10 Subp. 3. **Licensed social worker (LSW).** For a licensed
11 social worker (LSW), supervision qualifying an applicant as a
12 licensed social worker consists of face-to-face, group, peer, or
13 interdisciplinary supervision sessions for a minimum of 50 hours
14 of supervision during two years or 4,000 hours of social work
15 practice. Supervision must be or have been provided by a
16 licensed social worker or a social worker licensed at a higher
17 level than the applicant. The applicant must provide
18 verification of that supervision. If that supervision is found
19 by the board to be unobtainable, the board may accept
20 supervision from another qualified professional as defined under
21 part 4740.0110, subpart 20. The burden of proof of the required
22 supervision rests with the licensee. Experience required under
23 this subpart does not include internships or volunteer work.
24 The experience must have been obtained after the applicant
25 received a bachelor's degree and must be supervised, paid,
26 social work experience.

27 Subp. 4. **Licensed graduate social worker (LGSW).** For a
28 licensed graduate social worker (LGSW), supervision qualifying
29 an applicant as a licensed graduate social worker consists of
30 face-to-face, group, peer, or interdisciplinary supervision
31 sessions for a minimum of 50 hours at each two-year renewal.
32 Supervision must be or have been provided by a licensed social
33 worker at least at the level of the applicant or at a higher
34 level than the applicant. The applicant must provide
35 verification of supervision. If that supervision is found by
36 the board to be unobtainable, the board may accept supervision

1 from another qualified professional as defined under part
2 4740.0110, subpart 20. The burden of proof of the required
3 supervision rests with the licensee. Experience required under
4 this subpart does not include internships or volunteer work.
5 The experience must have been obtained after the applicant
6 received a master's or doctorate degree and must be supervised,
7 paid, social work experience.

8 Subp. 5. **Licensed independent social worker (LISW).** For a
9 licensed independent social worker (LISW), supervision
10 qualifying an applicant as a licensed independent social worker
11 consists of face-to-face, group, or interdisciplinary
12 supervision sessions for a minimum of 50 hours for two years or
13 4,000 hours of supervised social work practice. The supervision
14 must have been obtained after the applicant received a master's
15 or doctorate degree. The supervision must be or have been
16 provided by a licensed independent social worker or licensed
17 independent clinical social worker. Experience required under
18 this subpart does not include internships or volunteer work.
19 The applicant must provide verification of supervision. If that
20 supervision is found by the board to be unobtainable, the board
21 may accept supervision from another qualified professional as
22 defined under part 4740.0110, subpart 20. The burden of proof
23 of the required supervision rests with the licensee.

24 Subp. 6. **Licensed independent clinical social worker**
25 **(LICSW).** For a licensed independent clinical social worker
26 (LICSW), supervision qualifying an applicant for an independent
27 clinical social worker license includes review of a social
28 worker's interaction with clients, with the goal of improving
29 the social worker's clinical skills. Supervision must be
30 conducted face-to-face or in group or interdisciplinary
31 supervision sessions. The content may include but not be
32 limited to discussion of case presentations, review of audio
33 tapes, and direct observation of the social worker-client
34 interaction by the supervisor. Supervision must have been
35 provided for a minimum of 50 hours for the two years or 4,000
36 hours of supervised social work practice, in order to qualify

1 the social worker for this level of licensure. The supervision
2 must have been obtained after the applicant received a master's
3 or doctorate degree. The supervision must have been provided by
4 a licensed independent clinical social worker. Experience
5 required under this subpart does not include internships or
6 volunteer work. The applicant must provide verification of
7 supervision. If that supervision is found by the board to be
8 unobtainable, the board may accept supervision from a qualified
9 mental health professional as defined in Minnesota Statutes,
10 section 148B.18, subdivision 10. The burden of proof of the
11 required supervision rests with the licensee.

12 4740.0140 EXAMINATION APPLICATION AND REEXAMINATION.

13 A. An applicant who otherwise qualifies for a license
14 must take the examination required by this part.

15 B. An applicant shall obtain an examination
16 application from the board or an agency specified by the board.
17 The application fee and examination fee must be submitted either
18 to the board or to the agency specified by the board, each time
19 an applicant wants to be scheduled to take an examination.

20 C. The examination required for each of the
21 categories of licensing described in Minnesota Statutes, section
22 148B.21, subdivisions 1 to 6, is the examination of the American
23 Association of State Social Work Boards.

24 D. The examination shall be scheduled at least twice
25 a year, at times and places the board determines.

26 E. The board, or the agency specified by the board,
27 shall notify applicants in writing of the time and place of the
28 examination.

29 F. There is no limit on the number of times an
30 applicant may take the examination.

31 G. A licensee granted a licensed graduate social
32 worker (LGSW) license during the transition period who did not
33 have a Masters in Social Work degree from an accredited social
34 work program may take the examination required for either the
35 licensed independent social worker (LISW) license or the

1 licensed independent clinical social worker license (LICSW) upon
2 completion of supervision as required in part 4740.0130,
3 subparts 5 and 6.

4 H. A licensee granted a licensed independent social
5 worker (LISW) license during the transition period who did not
6 have a Masters in Social Work degree from an accredited social
7 work program may take the examination required for the licensed
8 independent clinical social worker (LICSW) license upon
9 completion of supervision as required in part 4740.0130, subpart
10 6.

11 I. A licensee granted a licensed independent clinical
12 social worker (LICSW) license during the transition period who
13 did not have a Masters in Social Work degree from an accredited
14 social work program may take the examination required for the
15 licensed independent social worker (LISW) license upon
16 completion of supervision as required in part 4740.0130, subpart
17 5.

18 4740.0145 DENIAL OF LICENSE.

19 If an applicant fails to meet the requirements in Minnesota
20 Statutes, section 148B.21, including but not limited to passing
21 the examination, or fails to complete the required forms and
22 provide information to the board, the board shall deny the
23 application for a license according to the procedures in items A
24 and B.

25 A. The board shall notify the applicant, in writing,
26 of the denial and the reason for the denial.

27 B. An application submitted following denial is a new
28 application which must be accompanied by the appropriate fee in
29 part 4740.0290.

30 4740.0150 RECIPROCITY.

31 The board may grant a license to an applicant who provides
32 satisfactory verification that the applicant is licensed
33 currently under the laws of states or territories of the United
34 States that at the time of original licensure imposed
35 substantially the same requirements as parts 4740.0100 to

1 4740.0310. To obtain a license under parts 4740.0100 to
2 4740.0310, the applicant must meet the conditions in items A to
3 D.

4 A. The applicant must submit a completed, signed,
5 notarized application for reciprocity that includes the
6 applicant's affirmation that the statements in the application
7 are true and correct to the best knowledge of the applicant.
8 The application must identify all states or territories in which
9 the applicant has ever held a professional license.

10 B. The applicant must provide the board with a copy
11 of the rules and statutes governing licensing at the time of the
12 original licensure in the other states where the applicant is
13 licensed. The board shall determine substantial comparability
14 of requirements by considering education and training,
15 supervision, scope of practice, continuing education
16 requirements, and code of conduct.

17 C. If the applicant fails to provide satisfactory
18 verification of supervision of the level applied for, or the
19 board determines that the requirements imposed by the other
20 states at the time of original licensure are not comparable to
21 parts 4740.0100 to 4740.0310, then the applicant must pass the
22 examination required by part 4740.0140.

23 D. The board must receive verification from the
24 licensing agency of any state or territory in which the
25 applicant has held a professional license of the status of any
26 disciplinary action involving the applicant. This information
27 must be contained on forms provided by the board. Based on this
28 information, the board may deny, limit, or restrict any license
29 as the board deems necessary for the protection of the public.

30 4740.0160 ISSUANCE OF LICENSE.

31 If the applicant meets the requirements in parts 4740.0120
32 to 4740.0150, the board shall issue a license and a number to
33 the applicant to practice social work according to parts
34 4740.0100 to 4740.0310 and Minnesota Statutes, chapter 148B.

35 4740.0170 DISPLAY OF LICENSE.

1 A licensee must prominently display the license issued by
2 the board at the licensee's primary place of employment or
3 practice.

4 4740.0180 TERM OF LICENSE, EFFECTIVE DATE.

5 An initial license is effective when the applicant has been
6 issued a number after having paid the required fees. The
7 applicant must pay the required fees within 60 days after the
8 date of the board's approval of a license application. If after
9 60 days the board has not received an applicant's fee the
10 applicant's file shall be closed and the applicant shall reapply
11 according to part 4740.0120. Unless a license is revoked or
12 suspended, it is initially valid for the period of time allowed
13 in parts 4740.0195 and 4740.0210. It must be renewed according
14 to parts 4740.0190, 4740.0195, 4740.0200, and 4740.0210.

15 4740.0185 DUPLICATE LICENSE.

16 A duplicate license may be issued for the fee set in part
17 4740.0290, item H, when the licensee notifies the board by
18 certified statement that the original license was lost, stolen,
19 or destroyed. The duplicate license shall be marked "duplicate"
20 and the date of its issuance indicated. If the licensee has a
21 name change, the board shall issue a new license when the
22 licensee provides verification of the name change, surrenders
23 the original license, and pays a duplicate license fee.

24 4740.0190 RENEWAL OF LICENSE.

25 A license granted in the transition period must be
26 initially renewed according to part 4740.0195. Subsequent
27 renewals of all licenses must be according to part 4740.0210.
28 For a license to be renewed, a licensee must pay the renewal fee
29 as defined in parts 4740.0210, subpart 5, and 4740.0290,
30 complete the appropriate number of continuing education hours,
31 and, where applicable, show compliance with supervision
32 requirements of part 4740.0130.

33 4740.0195 RENEWAL OF LICENSES ISSUED IN THE TRANSITION PERIOD.

34 A license issued to applicants who applied for licensure

1 during the transition period must be renewed initially according
2 to items A and B.

3 A. An odd-numbered license must be initially renewed
4 by June 30, 1991.

5 B. An even-numbered license approved by the board on
6 or before December 31, 1989, must be renewed by June 30, 1990.

7 C. An even-numbered license approved by the board on
8 or after January 1, 1990, must be renewed by June 30, 1992.

9 4740.0200 RENEWAL APPLICATION PROCEDURES.

10 Subpart 1. **Service.** The licensee must maintain a current
11 correct mailing address with the board for receiving board
12 communications, notices, and license renewal documents. Placing
13 the renewal application in first class United States mail,
14 addressed to the licensee at the licensee's last known address
15 with postage prepaid, constitutes valid service.

16 Subp. 2. **Application mailing date.** The board shall mail a
17 license renewal application to the last known address of every
18 licensee holding a current license. Failure to receive the
19 renewal documents does not relieve a license holder of the
20 obligation to renew or to pay the renewal fee. The licensee
21 must inform the board in writing of a change in address within
22 30 days of the address change.

23 Subp. 3. **Expired license.** The failure to renew will
24 result in an expired license. An expired license must be
25 reinstated according to part 4740.0205.

26 Subp. 4. **Incomplete application notice.** If a licensee
27 submits a renewal form or renewal fee or continuing education
28 form that is incomplete, incorrect, or not in compliance with
29 this part, the board shall notify the licensee of the deficiency
30 and shall give the licensee instructions for completing or
31 correcting the application. The board will cancel a licensee
32 renewal if the correction required in the board notice is not
33 made within 30 days after the notice was mailed.

34 4740.0205 REINSTATEMENT OF EXPIRED LICENSE.

35 Subpart 1. **Guidelines for reinstatement.** An expired

1 license shall be reinstated if no fact, circumstance, or
2 condition exists to justify revocation or suspension under part
3 4740.0250; if the individual meets the education and supervision
4 requirements of Minnesota Statutes, section 148B.21; if the
5 individual passes the examination required in part 4740.0140;
6 and if the individual pays the fees required in part 4740.0290,
7 item J.

8 Subp. 2. **Use of an expired license.** An individual whose
9 license has expired shall not use the title for which the
10 license was issued and shall not practice social work. A
11 licensee whose license has expired must return the license
12 certificate and the most recent evidence of renewal to the board
13 within ten days after the effective date the license expires.

14 4740.0210 CONVERSION OF LICENSE RENEWAL PROCEDURES.

15 Subpart 1. **License renewal cycle conversion.** Beginning
16 January 1, 1992, all licenses will be renewed on a biennial
17 (two-year) cycle basis that begins on the first day of the month
18 following the individual's birth month rather than on June 30 or
19 on the actual anniversary date of licensure. Future cycles will
20 run consecutively from that point.

21 Subp. 2. **Conversion of license renewal cycles for current**
22 **licenses.** The license renewal cycles for current licenses are
23 converted according to items A and B.

24 A. Beginning January 1, 1992, for a licensee who
25 applied for licensure during the transition period, and who was
26 issued an odd-numbered license, which is due to be initially
27 renewed according to part 4740.0195, item A, by June 30, 1991,
28 that renewed license is current until the last day of the
29 licensee's birth month in 1993.

30 For example, license number 00001 must be initially
31 renewed by June 30, 1991, under part 4740.0195, item A.

32 If the licensee's birth month is May, the licensee
33 must renew the license again by May 31, 1993.

34 B. Beginning January 1, 1992, for a licensee who
35 applied for licensure during the transition period and who was

1 issued before January 1, 1990, an even-numbered license which is
2 due to be initially renewed according to part 4740.0195, item B,
3 on June 30, 1990, that renewed license is current until the last
4 day of the licensee's birth month in 1992.

5 For example, a license numbered 00002 must be
6 initially renewed by June 30, 1990, according to part
7 4740.0195, item B. If the licensee's birth month is
8 September, the licensee must renew the license again
9 by September 30, 1992.

10 C. Beginning January 1, 1992, for a licensee who
11 applied for licensure during the transition period and who was
12 issued after December 31, 1989, an even-numbered license which
13 is due to be renewed according to part 4740.0195, item B, on
14 June 30, 1992, that renewed license is current until the last
15 day of the licensee's birth month in 1994.

16 For example, a license numbered 6000 must be initially
17 renewed by June 30, 1992, according to part 4740.0195,
18 item B. If the licensee's birth month is September,
19 the licensee must renew the license again by September
20 30, 1994.

21 Subp. 3. **Subsequent renewal cycles.** After the licensee's
22 renewal during the conversion period under subpart 2, the
23 subsequent renewal cycles shall be biennial cycles that begin on
24 the first day of the month following the licensee's birth month.

25 For example, a licensee who was born in August, who
26 initially renewed the license by August 31, 1992, must
27 renew the license by August 31 of every two years.

28 The new renewal cycle begins September 1.

29 Subp. 4. **Licenses issued after June 30, 1989.** Licenses
30 issued to persons who applied after June 30, 1989, will be
31 current and effective from the effective date under part
32 4740.0180 until the last day of their birth month the second
33 year after the initial licensing. After the initial licensure
34 period, subsequent renewal periods shall be biennial cycles that
35 begin on the first day of the month following the licensee's
36 birth.

1 For example, a licensee who was born in October, and
2 who applied for and was issued a license on May 15,
3 1990, must initially renew the license by October 31,
4 1992. The license must be subsequently renewed every
5 two years, by October 31. The new renewal cycle
6 begins November 1.

7 Subp. 5. Conversion period and fees. A licensee who
8 applied for a license during the transition period, and who
9 renews that license according to the conversion under subpart 2,
10 shall pay the prorated renewal fees required by items A to D.
11 All renewals after the conversion period must be accompanied by
12 the renewal fee in part 4740.0290, item F.

13 A. Licensees due to be renewed June 30, 1990, and
14 having a birth month between January 1 and June 30, 1992, will
15 pay the renewal fee under part 4740.0290, item E, prorated for
16 the total number of months the license will be valid, at a rate
17 of 1/24 of the biennial fee per month.

18 For example, during the conversion, the renewal cycle
19 for a licensee who initially renews the license June
20 30, 1990, and whose birthday falls in January 1992,
21 will be only 19 months. The renewal fee the licensee
22 will pay for this renewal cycle is prorated for 19
23 months.

24 B. Licensees due to be renewed June 30, 1990, and
25 having a birth month between July 1 and December 31, 1992, will
26 pay the renewal fee under part 4740.0290, item E, prorated for
27 the total number of months the license will be valid, at a rate
28 of 1/24 of the biennial fee per month.

29 For example, during the conversion, the renewal cycle
30 for a licensee who initially renews the license June
31 30, 1990, and whose birthday falls in August 1992,
32 will be 26 months. For this renewal cycle, the
33 licensee will pay the full renewal fee, plus the
34 amount of the fee prorated for two additional months.

35 C. Licensees due to be renewed June 30, 1991, and
36 having a birth month between January 1 and June 30, 1993, will

1 pay the renewal fee under part 4740.0290, item F, prorated for
2 the total number of months the license will be valid, at a rate
3 of 1/24 of the biennial fee per month.

4 For example, during the conversion, the renewal cycle
5 for a licensee who initially renews the license June
6 30, 1991, and whose birthday falls in February, 1993,
7 will be only 20 months. The renewal fee the licensee
8 will pay for this renewal cycle is prorated for 20
9 months.

10 D. Licensees due to be renewed June 30, 1991, and
11 having a birth month between July 1 and December 31, 1993, will
12 pay the renewal fee under part 4740.0290, item F, prorated for
13 the total number of months the license will be valid, at a rate
14 of 1/24 of the biennial fee per month.

15 For example, during the conversion, the renewal cycle
16 for a licensee who initially renews the license on
17 June 30, 1991, and whose birthday falls in December
18 1993, will be 30 months. For this renewal cycle, the
19 licensee will pay the full renewal fee plus the amount
20 of the fee prorated for an additional six months.

21 E. Licensees with an approval date after January 1,
22 1990, and due to be renewed June 30, 1992, and having a birth
23 month between January 1 and June 30, 1994, will pay the renewal
24 fee under part 4740.0290, item F, prorated for the total number
25 of months the license will be valid, at a rate of 1/24 of the
26 biennial fee per month.

27 For example, during the conversion, the renewal cycle
28 for a licensee who initially renews the license June
29 30, 1991, and whose birthday falls in February 1994,
30 will be only 20 months. The renewal fee the licensee
31 will pay for this renewal cycle is prorated for 20
32 months.

33 F. Licensees with an approval date after January 1,
34 1990, and due to be renewed June 30, 1992, and having a birth
35 month between July 1 and December 31, 1994, will pay the renewal
36 fee under part 4740.0290, item F, prorated for the total number

1 of months the license will be valid, at a rate of 1/24 of the
2 biennial fee per month.

3 For example, during the conversion, the renewal cycle
4 for a licensee who initially renews the license on
5 June 30, 1991, and whose birthday falls in December
6 1993, will be 30 months. For this renewal cycle, the
7 licensee will pay the full renewal fee plus the amount
8 of the fee prorated for an additional six months.

9 Subp. 6. **Initial license period and fees.** An individual
10 who is initially licensed by the board after June 30, 1989,
11 shall pay the social work application fee, examination fee, and
12 biennial renewal fees in part 4740.0290, as provided in items A
13 to C.

14 A. Beginning January 1, 1992, the initial licensure
15 period begins with the date the individual becomes licensed and
16 ends with the last day of the licensee's birth month two years
17 later. For a person whose birth month is more or less than 24
18 months after the initial licensure, the renewal fee will be
19 prorated based on the total number of months the license will be
20 valid, at a rate of 1/24 of the biennial fee per month.

21 B. The second license renewal made after the
22 conversion period for the individual and all subsequent license
23 renewals shall be assessed the license renewal fee in part
24 4740.0290, item F.

25 C. A licensee who does not supply a month, day, and
26 year of birth shall be assigned a month and year for license
27 renewal purposes.

28 4740.0220 INACTIVE LICENSE STATUS.

29 Subpart 1. **Application.** An application for an inactive
30 license must be submitted before the expiration of the license
31 period. Upon receiving notice of the board's approval of the
32 application, the licensee must discontinue practicing social
33 work, cease displaying his or her license, and pay the inactive
34 status fee in part 4740.0290, item I.

35 Subp. 2. **Time limit on inactive status.** The inactive

1 status shall not exceed ten consecutive years. After ten years
2 the licensee must reapply for active status or the board shall
3 cancel the license.

4 Subp. 3. **Supervision requirement.** If the licensee has had
5 an inactive license for more than five consecutive years, the
6 licensee must receive 25 hours of supervision during the first
7 12 months of reemployment in social work practice. This
8 supervision must be documented at the time of license renewal.

9 Subp. 4. **Limit on practice.** Persons with licenses on
10 inactive status shall not practice, attempt to practice, offer
11 to practice, or advertise or hold themselves out as authorized
12 to practice social work.

13 Subp. 5. **Reactivating a license.** The board shall
14 reactivate a license of a person who is on inactive status and
15 who desires to resume the practice of social work, if the person
16 notifies the board in writing of this intention, agrees to the
17 supervision requirements, has met the continuing education
18 requirements in effect while on inactive status, and pays the
19 prorated license renewal fees sufficient to return to the
20 ~~biannual~~ biennial birth month renewal schedule. The board shall
21 then reissue a license.

22 A. Licensed social workers who have not completed the
23 required two years or 4,000 hours of supervised practice as
24 defined in part 4740.0130, subpart 3, must meet that requirement
25 in addition to any specified in subpart 3.

26 B. Licensed graduate social workers are required by
27 part 4740.0130, subpart 4, to document 50 hours of supervision
28 at each renewal. Licensed graduate social workers returning to
29 active status who have been on inactive status for more than
30 five years must meet the requirements of subpart 3, before
31 applying to take an examination for a higher level license.

32 C. Nothing in this part precludes the board from
33 taking disciplinary action against a licensee based on conduct
34 occurring before inactive status was granted or during the
35 inactive period.

1 4740.0225 EMERITUS LICENSE STATUS.

2 Subpart 1. **Emeritus status; requirements.** A social worker
3 duly licensed to practice social work in the state under
4 Minnesota Statutes, chapter 148B, and who is retired from the
5 active practice of social work, may apply to the board for
6 emeritus status:

7 A. by indicating on the person's renewal form, or by
8 petitioning the board in writing;

9 B. by indicating the person has not been the subject
10 of disciplinary action resulting in the suspension, revocation,
11 qualification, condition, or restriction to practice social
12 work; and

13 C. by paying the one-time emeritus fee.

14 Subp. 2. **Limit on practice.** A licensee who has emeritus
15 status shall not engage in social work practice.

16 Subp. 3. **Continuing education not required.** Continuing
17 education requirements are not applicable to emeritus status.

18 Subp. 4. **Reactivating license.** In the exceptional case
19 that a social worker issued an emeritus license should wish to
20 resume practicing, the board shall reactivate the license
21 according to the procedure in part 4740.0220, subpart 5, for
22 reactivating an inactive license. The person seeking
23 reactivation must notify the board of the intent to resume
24 practice, agree to the supervision requirement if applicable,
25 document that the licensee has completed the required continuing
26 education, pay the inactive status fees for the emeritus period,
27 and pay the prorated renewal fee sufficient to return to the
28 ~~biannual~~ biennial birth month renewal schedule. Nothing in this
29 part precludes the board from taking disciplinary action against
30 a licensee based on conduct occurring before emeritus status was
31 granted or during the emeritus status.

32 If a person has had an emeritus license more than five
33 consecutive years, the licensee must receive 25 hours of
34 supervision during the first 12-month period. This must be
35 documented at the time of renewal.

1 4740.0230 CHANGE OF ADDRESS.

2 A licensee must notify the board in writing of any change
3 of name, address, or place of residence within 30 days after the
4 change.

5 4740.0240 VOLUNTARY TERMINATION OF LICENSE.

6 A licensee may request voluntary termination of a license
7 by notifying the board in writing. The board shall notify the
8 licensee in writing if the request is approved or denied. A
9 licensee who has voluntarily terminated a license must return
10 the license certificate and the most recent evidence of renewal
11 to the board within ten days after the effective date of the
12 voluntary termination. An individual whose request for
13 voluntary termination has been accepted by the board or whose
14 license has expired shall not use the title for which the
15 license was issued and shall not practice, offer to practice,
16 advertise, or otherwise represent himself or herself as
17 authorized to practice social work. A licensee who voluntarily
18 terminates a license may reapply for a license according to the
19 requirements in parts 4740.0120 to 4740.0310. Nothing in this
20 part shall preclude the board from taking disciplinary action
21 against a licensee based on conduct occurring before the
22 voluntary termination.

23 4740.0250 SUSPENSION OR REVOCATION OF LICENSE.

24 The board has the authority to deny, suspend, revoke,
25 condition, or limit a license based on the procedures and
26 criteria in Minnesota Statutes, chapters 14 and 148B.

27 4740.0260 SUSPENDED OR REVOKED LICENSE.

28 A licensee whose license has been suspended or revoked must
29 return the license certificate and the most recent evidence of
30 renewal to the board within ten days after the effective date of
31 the suspension or revocation. Failure to comply with this part
32 constitutes grounds for the denial of any subsequent request for
33 reinstatement.

34 4740.0270 VARIANCE.

1 Subpart 1. Request for variance. An applicant or licensee
2 may ask the board for a variance from the provisions of parts
3 4740.0100 to 4740.0285.

4 A request for a variance must be submitted to the board in
5 writing and must contain:

6 A. the specific rule for which the variance is
7 requested;

8 B. the reason for the request;

9 C. the alternative measures that will be taken to
10 protect the public if a variance is granted;

11 D. the length of time for which a variance is
12 requested; and

13 E. additional information that the board requests
14 from the applicant, that relates to the request for a variance.

15 Subp. 2. Criteria for approval. The board shall grant a
16 variance if it determines that:

17 A. the variance will not adversely affect, directly
18 or indirectly, the health, safety, or well-being of the public;

19 B. the alternative measures to be taken, if any, are
20 equivalent or superior to those prescribed in the part for which
21 the variance is requested; and

22 C. compliance with the part for which the variance is
23 requested would impose an undue burden upon the applicant for
24 the variance.

25 The board shall deny, revoke, or refuse to renew a variance
26 if the board determines that item A, B, or C has not been met.

27 Subp. 3. Notification. The board shall notify the
28 applicant in writing of the board's decision. If the variance
29 is granted, the notice must specify the period of time for which
30 the variance is effective and the alternative measures or
31 conditions, if any, the applicant must meet.

32 Subp. 4. Renewal. An applicant must submit a request for
33 the renewal of a variance, in writing, before the expiration
34 date of the existing variance. A renewal request must contain
35 the information specified in subpart 1. The board shall renew a
36 variance if the applicant for the renewal continues to satisfy

1 the criteria in subpart 2 and complies with the alternative
2 measures or conditions imposed at the time the original variance
3 was granted.

4 4740.0285 CONTINUING EDUCATION REQUIREMENTS.

5 Subpart 1. **Continuing education requirements.** At the time
6 of renewal, each licensee shall provide evidence satisfactory to
7 the board that the licensee has completed 30 continuing
8 education hours of approved continuing education during each
9 biennium of licensure. The licensee may attend programs
10 approved by the Board of Social Work or other programs that meet
11 the requirements in subparts 4 and 6 and are documented as
12 indicated in subpart 8.

13 A person licensed during the transition period under part
14 4740.0195 may include and count continuing education programs
15 from January 1989 for credit at the time of the first license
16 renewal if the program meets the requirements in subparts 2 to
17 11.

18 Subp. 2. **Transition period.** For licensees who are issued
19 even-numbered licenses during the transition period under part
20 4740.0195, item B, 15 continuing education hours are required
21 for the one-year, one time only, license renewal.

22 Subp. 3. **Emeritus license holders.** Emeritus licensees are
23 exempt from the continuing education requirement.

24 Subp. 4. **Content areas for continuing education.**
25 Continuing education programs approved under subparts 9 6 to 11
26 must contain one of the following content areas related to
27 social work practice:

28 A. theories and concepts of human behavior and the
29 social environment;

30 B. social work practice/knowledge and skills;

31 C. social work research, program, or practice
32 evaluation;

33 D. management/administration/social policy;

34 E. social work ethics; or

35 F. an area, chosen by the board, deemed to be of

1 current importance.

2 Subp. 5. Nonacceptable subject areas. Final determination
3 of the acceptability of approved content areas rests with the
4 board. Nonacceptable subjects include, but are not limited to,
5 subjects contrary to the code of ethics, marketing, business,
6 personal development, time management, and supervisory
7 sessions. Staff orientation and agency activities that address
8 procedural issues are ineligible. Where there is any question
9 about the acceptability of a program, a licensee should inquire
10 of the board.

11 Subp. 6. Continuing education program types. Continuing
12 education must be earned in at least two of the program areas in
13 items A to G.

14 A. Academic course work:

15 (1) courses and seminars given by accredited
16 social work programs;

17 (2) postgraduate courses from a university,
18 college, or other institution of higher education, in a field
19 other than social work, upon proof that the course is relevant
20 to social work practice;

21 (3) undergraduate courses from a university,
22 college, or other institution of higher education, if they can
23 be shown to update or enhance the licensee's social work
24 competency. Course and supporting information must accompany
25 the request; and

26 (4) correspondence work, televised courses,
27 audiovisual, video tapes, and other forms of self study, shown
28 to update or enhance competency. These activities must be
29 preapproved by the board. No more than ten hours from this
30 category will be acceptable as continuing education for each
31 renewal cycle.

32 B. Continuing education presentations at national,
33 international, regional, or subregional conferences or
34 association meetings.

35 C. Workshops or institutes, including approved
36 workshops at conventions.

1 D. Public or private agency staff development
2 programs that contribute to the enhancement of social work
3 practices or knowledge and that are not primarily procedural or
4 administrative.

5 E. Individual activities such as lectures,
6 publications of professional articles, course or conference
7 presentation, or research leading to publication or presentation.
8 The activities must be approved by the board on an individual
9 basis. No more than ten hours from this category will be
10 acceptable as continuing education for each renewal cycle.

11 F. Informal study carried on individually and
12 documented by the name of the topic, the title and author of
13 resources or books used in the informal study, and the time
14 spent in informal study. Informal programs of study must be
15 approved by the board. No more than ten hours from this
16 category will be acceptable as continuing education for each
17 renewal cycle.

18 G. Continuing education hours completed by licensees
19 to meet the requirements of other boards or authorities will be
20 accepted by the board as long as the program types and content
21 areas are consistent with those in subpart 4.

22 Subp. 7. Continuing education hours. Continuing education
23 hours are determined according to items A to E.

24 A. "One continuing education hour" means at least 50
25 minutes of uninterrupted learning in each hour.

26 B. One semester credit equals 15 continuing education
27 hours. One quarter credit equals ten continuing education
28 hours. Credit for auditing will be actual clock hours attended
29 not to exceed the academic credit.

30 C. Presenters will be credited with two continuing
31 education hours for every hour of presentation at a conference,
32 workshop, or institute. Credit will be given only once
33 regardless of the number of times the course is presented.

34 D. Multi-day, convention type meetings, national or
35 local, that meet the criteria of subpart 6, items B and C, are
36 credited the hours given by the sponsor.

1 E. Individual study hours may be approved by the
2 board at the request of the licensee.

3 Subp. 8. Documentation of courses. A licensee must
4 document completion of continuing education requirements
5 according to items A to D.

6 A. When the licensee applies for renewal of the
7 license, the licensee must submit documentation of completion of
8 the required continuing education hours on an appropriate form
9 furnished by the board.

10 B. Documentation must include the following
11 information:

12 (1) the title of the activity;

13 (2) the number of credit hours for the activity;

14 (3) the name of the provider or sponsor of the

15 activity; and

16 (4) the date and location of the course.

17 C. Licensees must keep in their records documentation
18 of their participation in continuing education activities
19 according to subitems (1) to (4).

20 (1) For workshops, institutes, and conferences as
21 described in subpart 6, items B to D, at least one of the
22 following is required:

23 (a) a copy of the certificate, if any, the
24 provider or sponsor issued to the participants;

25 (b) the certificate of attendance, if any,
26 provided by the program sponsor with all information completed;

27 or

28 (c) an affidavit signed by the program or
29 course instructor that the licensee attended the workshop,
30 conference, or institute.

31 (2) Individual activities as described in subpart
32 6, item E, are verified by:

33 (a) a copy of the program for the lecture or
34 presentation;

35 (b) a notice of publication of the written
36 material; or

1 (c) other material that may be requested by
2 the board.

3 (3) Academic course work as described in subpart
4 6, item A, is verified by:

5 (a) a copy of the transcript; or

6 (b) a report signed by the instructor of
7 hours attended.

8 (4) Informal studies as defined in subpart 6,
9 item F, are verified by written summaries of course work with
10 title, instructors' names, course content, and the time spent in
11 informal study. Such activities must be approved by the board
12 to be considered for continuing education hours.

13 D. The board shall audit a random sample of
14 continuing education reports. It is the responsibility of the
15 licensee to keep copies of all documentation required under this
16 part for an audit. The licensee must keep all records of
17 evidence or proof of continued education activities for the four
18 years following the license renewal.

19 Subp. 9. **Violation of continuing education requirements.**
20 Falsification of continuing education reports or failure to meet
21 continuing education requirements is a violation of license
22 renewal requirements and may result in formal disciplinary
23 action.

24 Subp. 10. **Sponsor application for preapproval of**
25 **continuing education programs.** Board approval of a continuing
26 education program must be obtained according to items A and B.

27 A. Application may be made by an association,
28 corporation, educational institution, organization, or person to
29 have a program preapproved by the board. In order to advertise
30 that the program is approved for continuing education by the
31 board, the sponsor must have received board approval.

32 The request must be submitted to the board, typed on the
33 appropriate forms, and must contain the following information:

34 (1) a statement of the objectives and goals of
35 the program or course, including the knowledge and skills each
36 participant is expected to gain upon completion;

1 (2) a description of the content of the program
2 or course, including a detailed agenda;

3 (3) a description of the teaching method to be
4 used;

5 (4) a copy of the evaluation form to be used by
6 the participants; and

7 (5) a listing of the qualifications of each
8 instructor as evidence of the instructor's current knowledge and
9 skill in the program or course subject.

10 The request for approval for single programs must be
11 submitted to the board at least 60 days before the date of the
12 program, and must include the appropriate application fee,
13 before the application will be considered. Requests for
14 approval of multiple programs must be submitted to the board at
15 least 90 days before the programs begin.

16 B. Program approval shall remain in effect for one
17 year. Sponsors of approved courses shall retain a list of
18 participants to whom continuing education hours are granted for
19 four years. Proposed content changes in any approved program or
20 course must be submitted to the board for its approval.

21 Subp. 11. Board review of continuing education sponsor
22 applications.

23 A. The board shall approve or deny applications for
24 continuing education programs or courses within 45 days after
25 receipt of the application and respond in writing to the
26 applicant.

27 B. The board may deny, refuse to renew, revoke, or
28 suspend authorization or approval previously furnished to
29 sponsors of an approved program, if the program fails to conform
30 to its application as approved by the board, or if it fails to
31 furnish program content as publicized, or for falsification of
32 any information requested by the board.

33 Subp. 12. Renewal of sponsor applications. An application
34 for course approval or renewal must be submitted to the board
35 with the appropriate fee at least 60 days before the expiration
36 of the annual date.

1 4740.0290 FEES.

2 The fees in items A to K shall be paid by cash, personal
3 check, bank draft, cashier's check, or money order made payable
4 to the Board of Social Work. All fees are nonrefundable.

5 A. Application fee, \$25.

6 B. Initial license fee, payable in addition to
7 application fee:

8 (1) licensed social worker, \$60;

9 (2) licensed graduate social worker, \$100;

10 (3) licensed independent social worker, \$150;

11 (4) licensed independent clinical social worker,
12 \$150.

13 C. Examination and reexamination fees, payable in
14 addition to application fee, not to exceed \$200.

15 D. License by reciprocity fee, payable in addition to
16 application fee:

17 (1) licensed social worker, \$60;

18 (2) licensed graduate social worker, \$100;

19 (3) licensed independent social worker, \$150;

20 (4) licensed independent clinical social worker,
21 \$150.

22 E. Transition or grandparenting, one-year group,
23 renewal fee:

24 (1) licensed social worker, \$30;

25 (2) licensed graduate social worker, \$50;

26 (3) licensed independent social worker, \$75;

27 (4) licensed independent clinical social worker,
28 \$75.

29 F. Biennial renewal fee:

30 (1) licensed social worker, \$60;

31 (2) licensed graduate social worker, \$100;

32 (3) licensed independent social worker, \$150;

33 (4) licensed independent clinical social worker,
34 \$150.

35 G. Emeritus, \$30.

1 H. Duplicate license, \$15.

2 I. Inactive status fee:

3 (1) licensed social worker, \$30;

4 (2) licensed graduate social worker, \$50;

5 (3) licensed independent social worker, \$75;

6 (4) licensed independent clinical social worker,

7 \$75.

8 J. Fee for restoration of license after suspension,
9 revocation, or expiration:

10 (1) licensed social worker, \$60;

11 (2) licensed graduate social worker, \$100;

12 (3) licensed independent social worker, \$150;

13 (4) licensed independent clinical social worker,

14 \$150.

15 K. Application fee for continuing education program:

16 (1) single program, \$25;

17 (2) three to five programs, \$65;

18 (3) six to ten programs, \$135;

19 (4) more than ten programs, \$250.

20 4740.0300 CODE OF ETHICS.

21 Subpart 1. Code of ethics. The code of ethics applies to
22 the licensees and applicants who practice social work and
23 applies to their conduct during the period of education,
24 training, and employment which is required for licensure.

25 Subp. 2. Purpose. The code of ethics constitutes the
26 standards by which the professional conduct of a licensee is
27 measured.

28 Subp. 3. Violations. A violation of the code of ethics is
29 unprofessional or unethical conduct and is a sufficient reason
30 for disciplinary action or denial of licensure under part
31 4740.0250.

32 4740.0310 ETHICAL STANDARDS.

33 Subpart 1. Responsibility to clients. A licensee's
34 primary professional responsibility is to the client. The
35 licensee shall make every effort to advance the welfare and best

1 interests of families, individuals, groups, and communities. A
2 licensee must respect the rights, including the right to
3 self-determination, of those persons seeking assistance. A
4 licensee must perform professional duties on the highest levels
5 of integrity and confidentiality and shall not hesitate to ask
6 for assistance from other professional disciplines when
7 circumstances dictate. A licensee must protect the public
8 against, and shall report, unethical, incompetent, and
9 dishonorable practices by social workers and other regulated
10 health professionals to the board or other appropriate
11 authority, as required under Minnesota Statutes, section
12 626.556, governing reporting of maltreatment of minors, or
13 626.557, governing reporting of maltreatment of vulnerable
14 adults, and as required under Minnesota Statutes, section
15 148B.07, subdivision 4, governing reporting unprofessional
16 conduct or mental incompetence, or other incompetence of
17 licensed professionals.

18 Subp. 2. **Nondiscrimination.** In the treatment of clients,
19 a licensee must not discriminate on the basis of age, sex, race,
20 national origin, religion, physical handicap, political
21 affiliation, or social or economic status. In addition, a
22 licensee must not discriminate on the basis of affectional
23 preference, or choice of lifestyle. When unable to offer
24 services for any reason, a licensee shall make an appropriate
25 referral.

26 Subp. 3. **Relations with clients.**

27 A. A licensee shall not engage in any type of sexual
28 contact with a client, as defined in Minnesota Statutes, chapter
29 148A.01, subdivision 7.

30 B. A licensee shall not engage in sexual contact with
31 a former client for at least two years after the professional
32 relationship with the client ends, or for a longer period if
33 there is a finding that the client is emotionally dependent on
34 the licensee.

35 C. A licensee shall not offer medication, controlled
36 substances, or alcoholic beverages to a client, or accept these

1 substances from a client.

2 D. A licensee must be cautious in prognosis and shall
3 not exaggerate the efficacy of services.

4 E. The licensee must recognize the importance of
5 clear understandings of financial matters with clients. Fees
6 and payments must be arranged at the beginning of the
7 relationship. Bartering between the licensee and the licensee's
8 client in establishing fees and payments is not allowed.

9 Subp. 4. Code of personal conduct. The licensee must
10 demonstrate objectivity, integrity, and sound standards in the
11 interest of service to the public and to the profession.
12 Licensed status shall not be used as a claim, promise, or
13 guarantee of successful service, nor shall the license be used
14 to imply that the licensee has competence in another service.
15 The licensee shall not misrepresent professional qualifications,
16 affiliations, and licenses of the licensee or the institutions
17 and organizations with which the licensee is associated.

18 A. A licensee shall not sexually harass, make sexual
19 advances toward, or engage in sexual contact with any client,
20 student, or trainee under the licensee's supervision.

21 B. A licensee shall not use or possess prohibited
22 drugs as they are defined in Minnesota Statutes, chapter 152,
23 unless prescribed for a legitimate medical purpose.

24 C. A licensee shall not use any drug, controlled
25 substance, alcoholic beverage, or medication in a manner that
26 impairs the licensee's ability to conduct the practice
27 authorized by license.

28 D. A licensee shall not use a professional
29 relationship to further personal, religious, political, or
30 business interests.

31 E. A licensee shall not participate in relationships
32 with clients which could impair the licensee's professional
33 judgment.

34 F. A licensee shall not wrongfully disparage the
35 qualifications or character of any professional colleagues,
36 agencies, organizations, or clients.

1 G. A licensee shall not diagnose, prescribe for,
2 treat, or advise on problems beyond the licensee's level of
3 competence. A licensee shall not provide services outside of
4 the licensee's level of licensure.

5 H. A licensee shall not permit a student, trainee, or
6 intern under supervision to perform, nor endorse any claim to be
7 competent to perform, professional services beyond the
8 student's, trainee's, or intern's level of training.

9 I. A licensee shall terminate service to a client and
10 a professional relationship with a client when the service and
11 relationship are no longer required to serve the client's needs
12 or interests.

13 Subp. 5. Confidentiality and keeping records.

14 A. A licensee must keep accurate records detailing
15 problems, scope of services, and dates of client contacts for a
16 minimum of three years after the date on which services were
17 last provided to the client. Records must be securely kept to
18 ensure the confidentiality of clients. Records or other oral or
19 written information which personally identifies the client shall
20 not be released to third parties unless:

21 (1) the client or authorized representative
22 consents in writing;

23 (2) a court of competent jurisdiction orders
24 release of the records;

25 (3) the records are disclosable under the
26 Minnesota Government Data Practices Act, Minnesota Statutes,
27 chapter 13;

28 (4) the information released does not compromise
29 the confidentiality of any other individuals; or

30 (5) the board issues a subpoena for the records
31 according to Minnesota Statutes, section 148B.07, subdivision 9.

32 B. The licensee must inform clients of the limits of
33 confidentiality.

34 C. The licensee must submit required reports and
35 documents in a timely enough fashion that the well-being of the
36 client is not adversely affected.

1 D. When a licensee has reason to believe that a
2 client presents clear and immediate danger to an individual or
3 society, the licensee has the duty to warn the potential victim
4 and the appropriate authorities. A licensee shall communicate
5 this warning with or without the client's consent.

6 E. A licensee must report suspected abuse of children
7 and vulnerable adults as required by Minnesota Statutes,
8 sections 626.556 and 626.557. A licensee shall not knowingly
9 report distorted, erroneous, or misleading research conclusions.

10 Subp. 6. **Research.** A licensee must conduct research
11 activities with full respect for the rights and dignity of
12 participants and with full concern for their welfare. A
13 person's participation in research must be voluntary, and based
14 on the informed consent of the participant or the legally
15 appointed guardian. In the case of a minor, informed consent
16 must be obtained from a parent or legally appointed guardian.

17 Subp. 7. **Advertising.** A licensee shall not use false,
18 fraudulent, or misleading advertising in the marketing of
19 services under the scope of social work practice.