

§7053-A. Functions

No social worker at any level may diagnose organic mental illness or treat any illness by organic therapy. [PL 1985, c. 736, §12 (NEW).]

1. Licensed master social worker. Any licensed master social worker may:

A. Engage in administration, research, consultation, social planning and teaching related to the functions in this section; [PL 1985, c. 736, §12 (NEW).]

B. Perform all the functions of a licensed social worker; and [PL 1985, c. 736, §12 (NEW).]

C. Engage in a nonclinical private practice. [PL 1985, c. 736, §12 (NEW).]

In addition, a licensed master social worker having met the requirements for licensure as a licensed clinical social worker prior to January 1, 1987, except for having completed the licensed clinical social worker examination, may engage in the clinical consultation of licensed master social worker, conditional for the purpose of preparing the licensed master social worker, conditional for eventual licensed clinical social workers' status or regular licensure. This includes responsibility for ongoing training and evaluation. The licensed master social worker has an obligation to assess the licensed master social worker, conditional's competence and ethics and share this assessment with the Board of Social Work Licensure at the time the licensed master social worker applies for the licensed clinical level.

In addition to paragraphs A, B and C, a person holding a "licensed master social worker, conditional" license may engage in psychosocial evaluation, including diagnosis and treatment of mental illness and emotional disorders, and provide clinical consultation to licensed social workers, social work students, other professionals practicing related professions and paraprofessionals engaging in related activities.

A "licensed master social worker, conditional" may not engage in private clinical practice, unless permitted under section 7053, subsection 1, and must receive individual consultation 4 hours a month while practicing social work in a clinical setting.

[PL 1987, c. 395, Pt. B, §15 (AMD).]

2. Licensed clinical social worker. A licensed clinical social worker may:

A. Practice social work in a clinical setting without consultation; [PL 1985, c. 736, §12 (NEW).]

B. Engage in psychosocial evaluation, including diagnosis and treatment of mental illness and emotional disorders; [PL 1985, c. 736, §12 (NEW).]

C. Engage in clinical private practice of social work; [PL 1985, c. 736, §12 (NEW).]

D. Perform all the functions of a licensed master social worker; and [PL 1985, c. 736, §12 (NEW).]

E. Engage in the clinical consultation of licensed master social workers for the purpose of preparing the licensed master social worker for eventual licensed clinical social workers' status or regular licensure. This includes responsibility for ongoing training and evaluation. The licensed clinical social worker has an obligation to assess the licensed master social worker's competence and ethics and share this assessment with the Board of Social Worker Licensure at the time the licensed master social worker applies for the licensed clinical level. [PL 1987, c. 395, Pt. B, §16 (AMD).]

[PL 1987, c. 395, Pt. B, §16 (AMD).]

3. Certified social worker - independent practice. A certified social worker - independent practice may:

A. Perform all the functions of a licensed master social worker; [PL 1985, c. 736, §12 (NEW).]

B. Practice social work in a clinical setting without consultation; and [PL 1985, c. 736, §12 (NEW).]

C. Engage in clinical private practice of social work.

In addition, a certified social worker - independent practice having met the requirements for licensure as a licensed clinical social worker prior to January 1, 1987, except for having completed the licensed clinical social worker examination, may engage in the clinical consultation of licensed master social worker, conditional for the purpose of preparing the licensed master social worker, conditionals for eventual licensed clinical social workers' status or regular licensure. This includes responsibility for ongoing training and evaluation. The certified social worker - independent practice has an obligation to assess the licensed master social worker, conditional's competence and ethics and share this assessment with the Board of Social Work Licensure at the time the licensed master social worker applies for the licensed clinical level. [PL 1987, c. 395, Pt. B, §17 (AMD).] [PL 1987, c. 395, Pt. B, §17 (AMD).]

4. Licensed social worker. A licensed social worker may:

- A. Engage in psychosocial evaluation, excluding the diagnosis and treatment of mental illness, and conduct basic data gathering of records and specific life issues of individuals, groups and families, assess this data and formulate and implement a plan to achieve specific goals related to specific life issues; [PL 1985, c. 736, §12 (NEW).]
- B. Serve as an advocate for clients or groups of clients for the purpose of achieving specific goals relating to specific life issues; [PL 1985, c. 736, §12 (NEW).]
- C. Refer clients to other professional services; [PL 1985, c. 736, §12 (NEW).]
- D. Plan, manage, direct or coordinate social services; and [PL 1985, c. 736, §12 (NEW).]
- E. Participate in training and education of social work students from an accredited institution or an educational institution in candidacy for accreditation with the Council on Social Work Education or a successor or other organization approved by the board and supervise other licensed social workers. [PL 2007, c. 402, Pt. V, §8 (AMD).]

A licensed social worker may not engage in the private practice of social work, diagnose mental illness and emotional disorders or provide psychotherapy. A licensed social worker with less than 2 years' experience must receive consultation from either a licensed master social worker, a licensed clinical social worker or a certified social worker - independent practice in a manner to be prescribed by the board on a group or individual basis 4 hours a month. Licensed social workers in health care facilities licensed by the Department of Health and Human Services must receive consultation on a quarterly basis in a manner prescribed by the department. The department staff giving consultation to intermediate care facilities must be on the master or clinical level by January 1, 1993.

State agencies employing social workers are responsible for providing supervision necessary for those social workers to maintain their licenses.

[PL 2007, c. 402, Pt. V, §8 (AMD).]

SECTION HISTORY

PL 1985, c. 736, §12 (NEW). PL 1987, c. 395, §§B15-B17 (AMD). PL 1989, c. 296, §1 (AMD). PL 2001, c. 316, §4 (AMD). PL 2003, c. 429, §5 (AMD). PL 2003, c. 429, §7 (AFF). PL 2003, c. 689, §B6 (REV). PL 2007, c. 402, Pt. V, §8 (AMD).

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