

2013 BLSW Legislative Proposal Overview (HB 2082)

Oregon State Board of Licensed Social Workers

Web Presentation

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February 3, 2013

Background / Current Law – Part 1: Practice Act (SB 177–2009)

- Practice Act = Mandatory Licensure for those who practice clinical social work only (ORS 675.523)
- Practice Act regulates conduct
- Anyone who engages in the conduct of practicing clinical social work must be licensed at the clinical level as a CSWA or LCSW or qualify for one of the exemptions from the licensure requirement

ORS 675.523 Exemptions to the Clinical Licensure Requirement

- Does not apply to non-clinical social work
- Exempts Certified Alcohol and Drug Counselors (CADCs) practicing within the scope of CADC
- Exempts QMHAs and QMHPs acting within the lawful scope of their employment or contract
- Exempts recognized members of the clergy who are acting in their ministerial capacity
- Exempts those who already hold a mental health licensure from a State of Oregon entity
- Graduate MSW students in clinical practicum

Current Regulations – Part 2: New Voluntary Licensure Options (non-clinical)

- Voluntary options for those not practicing clinical social work – not mandatory
- Title-Protected (LMSW and RBSW)
- Registered Baccalaureate Social Worker (RBSW)
- Licensed Master’s Social Worker (LMSW)
- Available since January 1, 2011
- Exempt from National ASWB exam until 12/31/12
- Both options also allow use of title “social worker”
- RBSW/LMSW scope of practice not defined due to legislative history; no clinical practice permitted

Current Regulations – Part 3

“Social Worker” Title Protection

- Anyone using the title “social worker” in Oregon must hold one of the four licenses offered by the Board: RBSW, LMSW, CSWA, LCSW
- Does not prohibit the practice of non-clinical social work by those that are not licensed
- Use of the educational titles MSW or BSW by those that are not licensed through the Board is not prohibited
- No social worker “registry” – there is no requirement for all who practice social work to register with the Board
- TSPC-licensed school social workers are allowed use of the title “school social worker” without a co-licensure requirement by the Board of Licensed Social Workers

BLSW Legislative Proposal for 2013 – HB 2082 Proposed Changes

- ▶ Removes broad definition of clinical social work in ORS 675.510 dating back to 1977 (Oregon regulated only Masters–level clinical practice between 1977–2010)
- ▶ Adopts national model language defining the scope of the three levels of social work practice (Bachelors, Masters and Masters–clinical)
- ▶ Turns one of four existing professional LCSW representation seats on the Board into a professional Board position that can be held by a LMSW, RBSW or CSWA
- ▶ None of the above proposed changes amend the basic social work regulatory framework established in 2009 (this means there are no changes in who has to become licensed by this bill)

BLSW 2013 Legislative Proposal- IMPACTS of HB 2082 – Part 1

- ▶ No changes to ORS 675.523 / licensure requirement
 - Exemptions are unchanged
 - Language protecting the scope of practice for CADCs from any BLSW clinical licensure requirement remains
 - Two-way street: As written the concept has no possibility for the Board – or others – to amend 675.523

- ▶ Non– Clinical Licensure (LMSW and RBSW) remains voluntary

- ▶ Title Protection for Social Worker” remains in place

SUMMARY: SB 177 REGULATORY FRAME IS UNTOUCHED

BLSW 2013 Legislative Proposal – IMPACTS of HB 2082 – Part 2

- ▶ LCSWs
 - New definition of scope does not add or subtract anything from scope of practice
 - No impact on access to insurance panels

- ▶ CSWAs – no major impact
 - ▶ No changes to the CSWA program
 - ▶ CSWA Certification will permit consideration for service on the Board

- ▶ LMSWs and RBSWs: Gain scope of practice definition in line with national social work model law
 - ▶ Social Work Practice at that level remains without licensure requirement
 - ▶ LMSW/RBSW will permit consideration for service on the Board

- ▶ Unlicensed Practitioners – No impact
 - ▶ Triggers of when licensure is required under Board statutes (conduct and title triggers) are unchanged

Questions / Thank you

- Please call the Board's Interim Executive Director, Martin Pittioni, with questions, at 503-373-1163.
- Please use Board web site www.oregon.gov/blsw for additional information about the Board and social work related regulations
- Thank you for any support you can give to this logical next step in the social work regulatory framework.