

NEW OAR 877-030-0110

Social Workers Conducting Child Custody Evaluations and/or Parenting Time Evaluations

- (1) This rule establishes the standards for all regulated social workers conducting child custody evaluations and parenting time evaluations, as described in ORS Chapter 107.
- (2) For purposes of this rule “evaluator” refers to a person who is conducting a child custody or parenting time evaluation, licensed as a Clinical Social Worker under ORS 675.530, certified as a Clinical Social Work Associate under ORS 675.537, licensed as Master’s Social Worker under ORS 675.533, or registered as a Baccalaureate Social Worker under ORS 675.532, and working within their certificate, license, or registration’s applicable scope of practice.
- (3) An evaluator must conduct each evaluation in a fair and impartial manner with professional skill, knowledge and conduct that does not impair the evaluator’s professional judgment.
- (4) An evaluator must refer the child custody evaluation or parenting time evaluation services to another qualified professional whenever the evaluator is unable to continue or complete the evaluation without fair or impartial assessments, professional skill, judgment or conduct.
- (5) An evaluator conducting a child custody or parenting time evaluation must, prior to starting any component of an evaluation:
 - (a) Inform and explain, both verbally and in writing, to each parent and party to the proceeding all of the information required in subsection (6) of this rule, which is a process disclosure and referred to in this rule as “informed consent;” and
 - (b) Obtain signed acknowledgement from each parent and party to the proceeding of having received, understood, and agreed to the disclosed information and terms of the informed consent provided therein.
- (6) Informed consent must include, but is not limited to, the following information:
 - (a) Identification and acknowledgement of receipt of a copy of the court order or other document requiring the custody or parenting time evaluation, which must identify any specific requirements for the evaluation;
 - (b) Identification of who, in addition to the child or children, is considered to be the client during any evaluation process;
 - (c) Description of the qualifications of the evaluator to conduct the evaluation;
 - (d) Description of the evaluation process and the role of the evaluator within that process;

- (e) Identification of the individual(s) for whom the evaluation will be prepared and to whom the final report and other information gathered as part of the evaluation, will be disseminated;
 - (f) Detailed description of all fees that are charged for the evaluation, including any subcontracting for specialized services, when those fees must be paid, and who is financially responsible for payment of all fees, pursuant to the court order or other document;
 - (g) Description of the timeline for conducting the evaluation, including expectations of timelines for each party and for the final report;
 - (h) Description of the limits of confidentiality and sharing of information, including the information gathered and the final report;
 - (i) Description of ex parte communications and identification of permissible communications between the parents or parties to the custody or parenting time evaluation process;
 - (j) Description of information that may be gathered as part of the evaluation, including the identification of those who may be interviewed or contacted;
 - (k) Identification of written release of information authorization(s) that may be necessary to obtain and must be provided to the evaluator in order to complete the evaluation;
 - (l) Definitions and descriptions of the use of professional collateral contacts, personal references, alternate parenting figures and others, who reside in the household or are necessary to contact for the evaluation; and
 - (m) Description of the general format of the final report and the evaluator's recommendations to be provided in that report, and to whom the final report will be provided.
- (7) The evaluator must comply with all applicable rules, statutes, and orders that govern the evaluator's practice in connection with the child custody or parenting time evaluation being done.

NEW OAR 877-020-0021

Requirements for Temporary Certificate of Clinical Social Work Associate

- (1) To be eligible for a temporary certificate of clinical social work associate, a person must:
 - (a) Submit a complete and accurate application on a form provided by the board;

(b) Hold a master's degree in social work from a college or university accredited by a credentialing body recognized by the board. The Council on Social Work Education and the Canadian Association for Social Work Education are recognized by the Board. The Board accepts determinations of equivalency of foreign degrees by the Council on Social Work Education's International Social Work Degree Recognition and Evaluation Service. Submission of proof of foreign degree equivalency and cost of the foreign degree equivalency determination are the responsibility of the applicant;

(c) Meet the fitness requirements of OAR 877-020-0008(2); and

(d) Pass the examination administered by the board on the subjects listed in OAR 877-020-0008(5)(a) with a score of not less than 90 per cent.

(2) A temporary certificate of clinical social work associate issued by the board expires, if not earlier terminated, when the board approves or proposes to deny a plan of practice and supervision pursuant to OAR 877-020-0009 or 180 days after issuance, whichever is less.

(3) An individual holding a temporary certificate of clinical social work associate may not engage in the practice of clinical social work.

(4) An unrestricted certificate of clinical social work associate will be issued following the board's approval of a plan of practice and supervision that meets the requirements of OAR 877-020-0009(4).

(5) An individual holding a temporary certificate of clinical social work associate may not accrue practice or supervision hours.

AMENDED OAR 877-020-0005

Rules Applicable to Certification and Licensing

This division of rules contains:

- (1) The requirements to obtain and renew a certificate of social work associate.
- (2) The requirements to obtain and renew a clinical social work license.
- (3) The rules regarding the surrender and reapplication for a new license.
- (4) The rules regarding the surrender and reapplication for a new certificate.
- (5) The process of de-activating and re-activating a clinical social work license.
- (6) The process to obtain a temporary certificate of social work associate.

AMENDED OAR 877-001-0020

Fees for Certification and Licensing

Following are the fees due, without pro ration, as a condition of obtaining and retaining a certificate or license under this division of rules:

(1) The application fee for an initial certificate or license is:

- (a) Registered Baccalaureate Social Worker — \$50;
- (b) Licensed Master's Social Worker — \$50;
- (c) Clinical Social Work Associate — \$150;
- (d) Licensed Clinical Social Worker — \$150.

(2) The fee for initial issuance of a certificate or license is:

- (a) Registered Baccalaureate Social Worker — \$50;
- (b) Licensed Master's Social Worker — \$100;
- (c) Clinical Social Work Associate — \$60;
- (d) Licensed Clinical Social Worker — \$260.

(3) The fee for the renewal of a certificate or license is:

(a) Registered Baccalaureate Social Worker:

- (A) Active — ~~\$100~~ 110;
- (B) Inactive — ~~\$40~~ 44.

(b) Licensed Master's Social Worker:

- (A) Active — ~~\$200~~ 220;
- (B) Inactive — ~~\$80~~ 88.

(c) Clinical Social Work Associate — ~~\$60~~ 66;

(d) Licensed Clinical Social Worker:

- (A) Active — ~~\$260~~ 286;
- (B) Inactive — ~~\$96~~ 106.

(4) The late fee for a request for renewal of a certificate or license received by the board after the renewal date of the certificate or license is:

(a) Registered Baccalaureate Social Worker — \$50;

(b) Licensed Master's Social Worker — \$50;

(c) Clinical Social Work Associate — \$50;

(d) Licensed Clinical Social Worker on active status — \$200;

(e) Licensed Clinical Social Workers on inactive status or Licensed Clinical Social Workers renewing a license under the provisions of OAR 877-020-0060 — \$50.

(5) The fees in 877-001-0020(1)(b) and (2)(b) are waived for any Clinical Social Work Associate who applies for Licensed Master's Social Worker licensure after having completed 75 hours of supervision required in 877-020-0010(3)(b)(A).

(6) The Board may waive any fees in sections (1) through (4) of this rule, upon written request, for any active duty military personnel deployed for 90 days or more outside the State of Oregon.