

Licensing Requirements for Oregon Social Workers

Oregon State Board of Licensed Social Workers

Presentation at Portland State University

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Oregon Licensing Requirements for Social Workers

MODULE CONTENT:

- What has changed with respect to licensure requirements and why?
- What type of social work practice requires licensure?
- What type of titles are protected and require licensure?
- Not Included: Review of Basic Licensing Concepts – an explanation of what licensure is or means. Please refer to the presentation on that topic on the Board's web site at www.oregon.gov/blsw

Licensure Requirements prior to January 1, 2011

- No licensure requirement for any social work practice - voluntary licensure only
 - Clinical-level social work licensure option only
 - No Bachelor level licensing option
 - Two licensure options / protected titles:
 - Clinical Social Work Associate (CSWA)
 - **agency-based, under supervision**, MSW level, precursor to LCSW
 - Licensed Clinical Social Worker (LCSW)
 - independent clinical license, allows private practice
 - may permit access to insurance panels

Drivers for legislative action in 2009

- Protect consumers – no licensure requirement for clinical work
- Lack of authority over conduct of revoked licensees
- Oregon one of the last states to not have some form of licensure requirement for social work
- No licensing options for field of non-clinical social work
- Advocacy issue – lift image of the profession by restricting who can use the title “social worker” to those who have a degree in social work and are licensed
- These drivers led to passage of SB 177 (2009) which reformed social work regulation in Oregon
(main provisions went into effect January 1, 2011)

Current Regulations - Part 1: Practice Act (Mandatory Licensure)

- Practice Act = Mandatory Licensure for those who practice clinical social work only
- Practice Act regulates conduct
- Anyone who engages in the conduct of practicing clinical social work must be licensed as a CSWA or LCSW or qualify for one of the exemptions from the licensure requirement
- LCSW and CSWA remain protected titles (practice act does not remove title protection)
- Access to the title “social worker”

Exemptions to the Mandatory Licensure Requirement / Practice Act

- 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)

- New Voluntary options at Bachelor and Masters level for those not practicing clinical social work
- Title-Protected (LMSW and RBSW)
- Registered Baccalaureate Social Worker (RBSW)
- Licensed Master's Social Worker (LMSW)
- Available since January 1, 2011
- Applications down-loadable on-line
- Both options allow use of title “social worker”
- RBSW/LMSW scope of practice not defined now - no clinical practice permitted

Part 2A – RBSW Program Specifics

- Registered Baccalaureate Social Worker Certificate
- “RBSW” is a protected title
- Allows use of protected title “social worker”
- Requirements:
 - BSW (CSWE accredited or in CSWE candidacy)
 - Passage of national (ASWB) Bachelor-level exam
(NOTE: exam waiver expired December 31, 2012)
 - criminal background check, compliance with Board rules
 - 2-year certification with 20-hour CE requirement
 - Half of the CE requirement can be met by employer in-service credit

Part 2B – LMSW Program Specifics

- Licensed Master’s Social Worker (LMSW)
- Voluntary, title-protected, non-clinical license
- Allows use of protected title “social worker”
- LMSW Program Requirements
 - Requires no practice experience, supervision or employment in a social work position
 - MSW from a CSWE-accredited school
 - Passage of national (ASWB) Masters-level (non-clinical) “generalist” exam (waiver expired December 31, 2012)
 - criminal background check / compliance with ethics code
 - 2-year license with 30hour CE requirement

Part 3 – Clinical CSWA Program Specifics

- Clinical Social Work Associate (CSWA) Certification
- **Agency based**, clinical practice under supervision
- Completion = eligibility for LCSW licensure
- Program completion = 3500 work hours, 2000 direct client hours, 100 hours supervision (up to 50 can be group)
- Allows use of the title “social worker”
- CSWA Program Entry Requirements
 - MSW from a CSWE-accredited school
 - criminal background check / compliance with ethics code
 - Passage of Oregon Laws and Rules Examination
 - Supervision Plan with Board-approved LCSW supervisor
 - 6-month supervision and hours report requirement

Part 4 – Fees for Licensing Options (CSWA, LCSW, LMSW and RBSW)

- Application Fees: LMSW/RBSW \$50 / others \$150
- Initial license:
 - RBSW - \$50 (2 years) / LMSW - \$100 (2 years)
 - CSWA - \$60 (1 year) / LCSW - \$130 (1 year)
- Existing fee for criminal background check applies (\$50)
- Renewal of Licensure / Certification:
 - RBSW - \$100 / 2 year certification
 - LMSW - \$200 / 2 year license
 - CSWA - \$60 / yearly renewal (will remain yearly)
 - LCSW - \$130/ yearly renewal (in transition in 2013 and 2014 to \$260 to exclusively two year license)

Current Regulations – Part 5

“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” (no other variation) without licensure through the Board of Licensed Social Workers

I am a graduating student in a BSW/MSW program / or have earned a social work degree and now plan to become licensed – what is the impact on me?

- Do not use protected titles (“social worker” / RBSW / CSWA / LMSW / LCSW) until you have license/certification in hand
- If you plan on becoming licensed non-clinically (RBSW and LMSW), national exam now required for the level applied for
- If you do clinical social work, you must become a CSWA before engaging in clinical work, unless an exemption applies
- If you want to call yourself a “social worker” – you must have a license (CSWA/LCSW/RBSW/LMSW) - no exceptions
- If you do not become licensed – do not use protected titles and ensure you practice non-clinically or are clearly covered by one of the exceptions to the clinical licensure requirement
- Conclusion – Impact depends on two tests for each individual:
 - 1) Conduct: is my work clinical-level social work?
 - 2) Title: Am I / Will I use the title “social worker” ?

I am an employer / manager of those who practice social work – how does this impact me?

- Jurisdiction:
 - Board does not have direct jurisdiction over employers
 - Board licensure is at individual level (not facilities-level)
 - Employer is free to set expectations higher than law requires
- Employer interest originates in desire to:
 - Comply with laws that apply to individual employees
 - Assure clients through accountability of licensed personnel
 - Use licensure preference or requirement as qualification tool
 - Conform HR practice including position descriptions to laws protecting titles and criteria for mandatory licensure
- Employers must apply same two tests of conduct and title:
 - Is the employee/position performing clinical-level social work?
 - Is the employee/position using the title “social worker”?
 - Employer should apply test at the position level, not unit level

What else is new?

- On April 30, 2013, Oregon State Legislature Oregon sent HB 2082 to the Governor with scope of practice definition for RBSWs and LMSWs, and updated clinical social work definition, effective January 1, 2015
- Constant updates about this and the Board and social work regulations at www.oregon.gov/blsw
- Applications now go directly to Board Office
- Applications downloadable from web site

Questions / Application of Information to Needs of Audience

- THANK YOU FOR YOUR QUESTIONS

For any questions not answered today:

- For statutes and rules questions, please contact Martin Pittioni at 503-373-1163
- For licensing and application questions, please contact Pam Johansen at 503-373-1159
- General Board Office number: 503-378-5735