

2013 BLSW Legislative Concept Overview

Oregon State Board of Licensed Social Workers

Presentation for Agency Stakeholders

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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 Concept 2013 – 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

BLSW 2013 Legislative Concept – IMPACTS

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 Concept – IMPACTS

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
 - ▶ Social Work Practice at that level does not require licensure
 - ▶ 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 / Application of Information to Needs of Audience

- THANK YOU FOR YOUR QUESTIONS
- Please use Board web site
www.oregon.gov/blsw