

**Permanent Rules / OAR Chapter 877 /Board of Licensed Social Workers /
Effective December 29, 2011**

NOTE: This document contains only the amended OAR sections

**DIVISION 1
PROCEDURAL RULES**

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) With an application for an initial certificate or license:

(a) For Registered Baccalaureate Social Worker – \$50

(b) For Licensed Master’s Social Worker – \$50

(c) For Clinical Social Work Associate – \$150

(d) For Licensed Clinical Social Worker – \$150

(2) For the initial issuance of a certificate or license:

(a) For Registered Baccalaureate Social Worker – \$50

(b) For Licensed Master’s Social Worker – \$100

(c) For Clinical Social Work Associate – \$60

(d) For Licensed Clinical Social Worker – \$130

(3) For the renewal of a certificate or license:

(a) For Registered Baccalaureate Social Worker:

(A) Active – \$100

(B) Inactive – \$40

(b) For Licensed Master’s Social Worker:

(A) Active – \$200

(B) Inactive – \$80

(c) For Clinical Social Work Associate – \$60

(d) For Licensed Clinical Social Worker:

(A) Active – \$130

(B) Inactive – \$48

(4) For a request for renewal of a certificate or license received by the board after the renewal date of the certificate or license:

(a) For Registered Baccalaureate Social Worker – \$50

(b) For Licensed Master’s Social Worker – \$50

(c) For Clinical Social Work Associate – \$50

(d) For Licensed Clinical Social Worker on active status – \$200

(e) For Licensed Clinical Social Workers on inactive status or Licensed Clinical Social Workers renewing a license under the provisions of OAR 877020-0060 - \$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 OAR 877-020-0013(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.

Stat. Auth: ORS 675.510 - 675.600, 675.532 - 675.533, SB 177(2009), HB 2345(2009)

Stats. Implemented: ORS 675.571, 675.532, 675.533, 675.990 - 675.994, 675.150

DIVISION 10 BOARD DUTIES AND PROCEDURES

877-010-0015

Chair's Responsibilities

- (1) The Board Chair shall be responsible to carry out the duties of the Chair, including but not limited to the following:
- a) Develop a draft agenda for each board meeting
 - b) Act as Chair during the meetings of the Board
 - c) Call Board meetings as necessary
 - d) Appoint Board members to Board committees
 - e) Supervise the Executive Director and act as Chair of the Personnel Committee
 - f) Conduct business with the Governor's Office and the Department of Administrative Services as necessary
 - g) Execute documents as necessary to conduct Board business
 - h) Carry out administrative actions which meet applicable Board rules and guidelines in the interim between Board meetings, which shall be presented to the full Board for ratification or approval on the Consent Agenda of the Board meeting immediately following the Chair administrative action. For purposes of this section of rules, administrative actions by the Board Chair include, but are not limited to:
 - A) Approval of CSWA supervision plans, plan changes and plan completions
 - B) Approval of applications for licensure or certification
 - C) Approval of license or certification re-activations
 - D) Approval of extensions of time

for investigations under ORS 676.165(4)

- i) The Chair is further authorized to take action in-between Board meetings on matters that require policy decisions by the Board, subject to ratification by the Board at the Board's next meeting immediately following the Chair's action. Any such actions shall be noted on the agenda for the next meeting of the Board and shall become the first order of new business at that next meeting.

(2) The Vice-Chair shall act in lieu of the Chair when the Chair is unable to perform the required duties. If the Chair is aware in advance of any time periods where the Chair is unable to perform the duties of Chair, the Chair shall inform the Vice Chair and the Board's Executive Director in writing.

Stat. Auth.: ORS 675

Stats. Implemented: ORS 675.590

877-010-0020

Board Communications

All correspondence in support of Board activities shall be prepared by the Board Executive Director or designee. When deemed necessary or appropriate, the Executive Director will review correspondence with the Board Chair or the Board's legal counsel. The full Board should approve in advance any correspondence which may materially affect Board policies and procedures. When a delay might render the Board's functioning ineffective, the Chair may be required to take immediate action which shall be reviewed at the next meeting of the Board.

Stat. Auth.: ORS 675.510 - 675.600

Stats. Implemented: ORS 675.590

DIVISION 15
REGISTRATION AS A BACCALAUREATE SOCIAL WORKER
AND LICENSURE AS A MASTER'S SOCIAL WORKER

877-015-0105

Rules Applicable to Registration and Licensure

This division of rules describes the procedures and requirements to obtain and renew a certificate of registration as a baccalaureate social worker and a license as a master's social worker and the requirements regarding surrender and reapplication for a certificate or license. The board may issue a certificate of registration as a baccalaureate social worker or a license as a master's social worker commencing January 1, 2011.

Stat. Auth: ORS 675.510 - 675.600, 675.532 - 675.533, SB 177(2009), HB 2345(2009)
Stats. Implemented: ORS 675.571, 675.532, 675.533, 675.990 - 675.994, 675.150

877-015-0108

Eligibility Requirements

To be eligible for initial certificate of registration or license, a person must meet the requirements in sections (1) through (6) of this rule:

(1) The person must submit a complete and accurate application on a form provided by the board.

(2)(a) The person must hold the degree described in sub-section (b) of this section from a college or university accredited by a credentialing body recognized by the board. For an initial certificate of registration only, the person may hold the degree described in sub-section (b)(A) of this section from a college or university accredited by or considered in candidacy status 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.

(b)(A) The degree required for initial registration is a baccalaureate degree in social work.

(B) The degree required for initial licensure is a master's degree in social work.

(3) The person must be fit to practice social work in Oregon. The board uses the following standard and procedure to make a fitness determination:

(a) To be fit to practice social work in Oregon, the person must have demonstrated and must currently have:

(A) Good moral character. For purposes of this rule, lack of "good moral character" may be established by reference to acts or conduct which would cause a reasonable person to have substantial doubts about the individual's honesty, fairness, and respect for the rights of others and for the laws of the state and the nation. The conduct or acts in question should be rationally connected to the applicant's fitness to practice social work; and

(B) A personal history of conduct that is consistent with the standards contained in division 30 of this chapter of rules.

(b) In the event the person's history includes conduct that may call into question

the person's fitness, the board will consider, if made available by the person, the amount of time elapsed since the conduct and the person's relevant conduct since the questioned conduct, including remedial or compensatory actions taken by the person, if appropriate.

(4) The person must be fit to practice social work in Oregon. In making this fitness determination, the board will consider whether the person is subject of an investigation or disciplinary action by a licensing board and the reasons for the action.

(5) The person must pass the following examination administered by the Association of Social Work Boards:

(a) For registration as a baccalaureate social worker, the bachelor's level examination.

(b) For licensure as a master's social worker, the master's level examination.

(6) The person must achieve a score of 90 percent on the examination on the Oregon statutes and rules prepared by the board on:

(a) The contents of ORS 675.510 to 675.600 and OAR chapter 877, which are the Oregon statutes and administrative rules governing regulated social work.

(b) Oregon Revised Statutes relating to mental health practice that may be relevant to regulated social work.

(7) In the case of an application submitted to the board prior to January 1, 2013, the requirement in section (5) of this rule to pass a test is not applicable. An application mailed to the board is considered submitted on the date the application is postmarked if it is subsequently received by the board.

(8) In the case of an application submitted to the board by a Clinical Social Work Associate who applies for Licensed Master's Social Worker licensure after

having completed 75 hours of supervision required in OAR 877-020-0010(3)(b)(A), the requirement in section (5)(b) of this rule to pass a test is not applicable.

Stat. Auth: ORS 675.510 - 675.600, 675.532 - 675.533, SB 177(2009), HB 2345(2009)

Stats. Implemented: ORS 675.571, 675.532, 675.533, 675.990 - 675.994, 675.150

877-015-0136

Reissuance of Certificate of Registration

(1) Following a voluntary surrender under OAR 877-015-0131, the board may issue a new certificate of registration or license if:

(a) The applicant submits a letter to the board explaining the reasons for returning to practice as a regulated social worker;

(b) The board approves the applicant's proposal to demonstrate competence to hold the certificate of registration. The plan may involve participation in continuing education programs; and

(c) The applicant takes and passes the examination described in OAR 877-015-0108(6) on Oregon statutes and rules.

(2) If the board accepts a voluntary surrender after a complaint was filed with the board against the holder while the complaint is pending, the board may issue the certificate of registration or license under conditions that take into account the circumstances of the surrender and may attach conditions to the registration or licensure, including conditions contained in a final order if one was served in connection with the surrender. The board will not reinstate a certificate of registration or license that has been surrendered. A person who surrenders a certificate of registration or license may apply for a new certificate of

registration three years after the date the surrender was accepted by the board.

(3) If the board revokes or refuses to renew a certificate of registration or license, other than for the holder's failure to timely apply for renewal, the former holder may reapply for a new license at the expiration of three years from the time it was revoked. The board may issue a new certificate of registration or license upon finding the applicant is fit to practice social work and otherwise meets the requirements for registration or licensure and may attach

conditions to the registration or licensure, including conditions contained in a final order if one was served in connection with the revocation.

Stat. Auth: ORS 675.510 - 675.600, 675.532 - 675.533, SB 177(2009), HB 2345(2009)

Stats. Implemented: ORS 675.571, 675.532, 675.533, 675.990 - 675.994, 675.150

DIVISION 20 PROCEDURE FOR CERTIFICATION AND LICENSING

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.

Stat. Auth.: ORS 675.510 - 675.600

Stats. Implemented: ORS 675.537

877-020-0008

Licensing Requirements

To be eligible for an initial clinical social work license, except when the provisions of OAR 877-020-0016 apply, a person must meet the requirements in sections (1) through (7) of this rule:

(1) The person must complete the requirements in OAR 877-020-0009 to receive a certificate of social work associate and must hold a current certificate in good standing, or must have completed the equivalent of this requirement in another state.

(2) The person must be fit to practice social work in Oregon. In making this fitness determination, the board will consider whether the person is subject of an investigation or disciplinary action by a licensing board and the reasons for the action. The board uses the following additional standard and procedure to make a fitness determination:

- (a) To be fit to practice social work

in Oregon, the person must have demonstrated and must currently have:

(A) Good moral character. For purposes of this rule, lack of “good moral character” may be established by reference to acts or conduct which would cause a reasonable person to have substantial doubt about the individual’s honesty, fairness, or respect for the rights of others or for the laws of the state or nation. The conduct or acts in question should be rationally connected to the applicant’s fitness to practice clinical social work; and

(B) A personal history of conduct that is consistent with the standards contained in division 30 of this chapter of rules.

(b) In the event the person’s history includes conduct that may call into question the person’s fitness, the board will consider, if made available by the person, the amount of time elapsed since the conduct and the person’s relevant conduct since the questioned conduct, including remedial or compensatory actions taken by the person, if appropriate.

(3) The person must complete the requirements of an approved plan of practice and supervision in accordance with the rules in this division of rules.

(4) The person must pass both the examination administered by the board on the subjects listed in section (6)(a) of this rule with a score of not less than 90 per cent and a national examination for clinical social workers administered by an organization approved by the board on the subjects listed in section (6)(b) of this rule. The person may take the national exam any time after having completed 75 hours of supervision required in OAR 877-020-0013 (3)(b)(A).

(5) The subjects tested on the exam are:

(a) For the examination on the Oregon statutes and rules:

(A) The contents of ORS 675.510 to 675.600 and OAR chapter 877, which are the Oregon statutes and administrative rules governing the practice standards and responsibilities of a licensed clinical social worker.

(B) Oregon Revised Statutes relating to mental health practice that may be relevant to clinical social work practice.

(b) For the national examination:

(A) Human Development, Diversity and Behavior in the Environment.

(B) Assessment, Diagnosis and Treatment Planning..

(C) Psychotherapy, Clinical Interventions and Case Management

(D) Professional Ethics and Values.

Stat. Auth.: ORS 675.510 – 675.600 & 675.990

Stats. Implemented: ORS 675.535

877-020-0010

Plan of Practice and Supervision

(1) After a person submits an application described in OAR 877-020-0009, the board will inform the person whether the application, including the plan of practice and supervision, is approved.

(2) After an application has been approved, an associate may request a change to a plan of practice and supervision by submitting a request to the board that provides a justification for the change and ensures that the plan, as modified, will meet the requirements of this division of rules.

(3) For the associate to satisfactorily complete a plan of practice and supervision, the following requirements must be met while the associate is working under an approved plan of practice and supervision:

(a) The contact with clients described in OAR 877-020-0009(3)(b) must be direct contact during which the associate practices clinical social work, which is defined in ORS 675.510(2).

(b) The associate must meet with a supervisor identified in the plan, as required in OAR 877-020-0009(3)(d):

(A) For a total of 100 hours over a period of not less than 24 consecutive months nor more than 60 consecutive months, of which a minimum of 50 hours must be individual supervision. The associate must meet at least twice each month with a plan supervisor for a minimum of one hour. If there is a second supervisor for group supervision, the requirement in this paragraph (A) is met by a single one-hour meeting with each supervisor.

(B) After the associate has completed the plan requirements contained in paragraph (A) of this sub-section, the associate must continue to meet at least once each month with a plan supervisor for a minimum of one hour.

(c) All supervision must be accomplished directly, in a professional setting.

(d) The associate must submit to the board, on a form provided by the board, each evaluation by the supervisor (or supervisors in the event two are authorized) required by OAR 877-020-0012(2)(e)(A) of the progress by the associate toward completion of the plan.

(e) The associate must pass the national examination required by OAR 877-020-0008.

(f) The associate must work with each supervisor identified in an approved plan for not less than six months unless

(A) A change in supervision is required by a reason outside the control of the associate and the board approves the change; or

(B) The associate has completed the requirements of the plan.

Stat. Auth.: ORS 675.510 - 675.600, 675.990

Stats. Implemented: ORS 675.537

877-020-0016

Licensing of People Qualified in Another Jurisdiction

A person licensed, certified, or registered as a social worker in another jurisdiction is eligible to be licensed or certified in Oregon if:

(1) The person meets the education requirement in OAR 877-020-0009(2) and OAR 877-015-0108(2);

(2) The person is fit to practice regulated social work in Oregon. In making this fitness determination, the board will consider whether the person is the subject of an investigation or disciplinary action by a licensing board and the reasons for the action;

(3) As a condition of licensure, certification, or registration in the other jurisdiction, the person was required to meet requirements substantially equivalent to those set out in division 20 and division 15 of these rules; as applicable and

(4) The person successfully completes the exam on Oregon statutes and rules and the national exam for regulated social workers described in and subject to the limitation in 877-020-0008 and 877-015-0108(5)(a)(b).

(5) Applicants for LCSW licensure who intend to practice clinical social work in Oregon as defined in ORS 675.510(2) and OAR 877-001-0006 prior to issuance of an Oregon LCSW license, must first, prior to starting practice, qualify for and be issued a clinical social work associate certificate until all requirements for issuance of an Oregon LCSW are met

(6) Applicants for Oregon LCSW licensure who qualify for issuance of a CSWA certification as required in subsection (5) of this rule must comply with the supervision requirement in 877-020-0010(3)(b)(B).

Stat. Auth.: ORS 675.510 - 675.600 & 675.900
Stats. Implemented: ORS 675.535(4)

877-020-0036

Reapplication for Certificate or License

(1) Following the voluntary surrender of a certificate or license under

OAR 877-020-0031(2), the board may issue a new certificate or license if:

(a) The applicant submits a letter to the board explaining the reasons for returning to practice;

(b) The board approves the applicant's proposal to demonstrate competence to hold the certificate or license. The plan may involve participation in continuing education programs or clinical supervision; and

(c) The applicant takes and passes the examinations described in OAR 877-020-0008.

(2) If the board accepts a voluntary surrender of a certificate or license after a complaint was filed with the board against the holder while the complaint is pending, the board may issue a new certificate or license under conditions that take into account the circumstances of the surrender and may attach conditions to the certificate or license, including conditions contained in a final order if one was served in connection with the surrender. The board will not reinstate a license or certificate that has been surrendered. A person who surrenders a certificate or license may apply for a new license three years after the date the surrender was accepted by the board.

(3) If the board revokes or refuses to renew a certificate or license, other than for the holder's failure to timely apply for renewal, the former holder may reapply at the expiration of three years from the time it was revoked. The board may issue a new license upon finding the applicant is fit to practice social work and otherwise meets the requirements for licensure and may attach conditions to the certificate or license, including conditions contained in a final order if one was served in connection with the revocation.

Stat. Auth.: ORS 675.510 - 675.600 & 675.900
Stats. Implemented: ORS 675.595

DIVISION 25
CONTINUING EDUCATION REPORTING REQUIREMENTS

877-025-0006

Types of Continuing Education

To meet the requirements of this division of rules, continuing education must be one of the following:

(1) A conference, seminar, book, journal article or workshop that:

(a) Addresses subjects related to the regulated social worker's work practice;

(b) Is attended (or read as applicable) by the regulated social worker in person, on-line or through a web cast; and

(c) Is provided or approved by a credentialing body recognized and approved by the board. The board recognizes and approves a credentialing body based on the following practices of the body:

(A) The body uses an established process for determining which training to provide or approve.

(B) The body uses an established process for determining who will present the training.

(C) The body provides, with respect to the training, written materials that demonstrate the relevance of the training to the field of clinical social work.

(D) The body establishes an appropriate number of continuing education credits for the training.

(E) The body verifies the credentials of the presenters of the training.

(F) The body uses an established system for the evaluation of presenters.

(G) The body provides a certificate of completion to those who attend, based on actual attendance.

(2) A conference, seminar, book, journal article, or workshop that:

(a) Meets the following requirements:

(A) Is related to the field of clinical social work or, in the case of a baccalaureate social worker or master's social worker, the field of social work;

(B) Addresses subjects related to the regulated social worker's work practice;

(C) Is not provided or approved by a credentialing body recognized and approved by the board; and

(D) Is attended (or read as applicable) by the regulated social worker in person, on-line, or through a web cast.

(b) Is approved by the Board based on the regulated social worker's written application that:

(A) Contains the following information:

(i) Name or description of the event.

(ii) Date of the event.

(iii) Brief description of the training sufficient to show that the training meets the requirements of section (2)(a) of this rule.

(iv) Name and credentials of each presenter.

(v) Number of continuing education units requested.

(vi) Copy of the certificate of completion.

(B) Is received by the board not later than the time of the submission of the report required by OAR 877-025-0021 and not later than 45 days prior to the last day of the birth month of the regulated social worker.

(3) For Registered Baccalaureate Social Workers and Licensed Master's Social Workers, an in-service, agency-sponsored program that otherwise meets the requirements of subsection (2) of this rule section. CE credit form such a qualifying in-service can be used for up to half the applicable CE hours required for renewal.

(4) A course related to social work at an accredited college or university.

(5) A training video or audio recording approved by a credentialing body recognized and approved by the board using the standards provided in section (1)(c) of this rule. Successful completion is demonstrated by award to the regulated social worker by the credentialing body.

(6) Participation in a study group, subject to the following limitations:

(a) The group must contain a minimum of five and a maximum of 10 licensed mental health professionals who meet for a minimum of an hour on a scheduled basis to discuss topics directly related to the field of clinical social work.

(b) The focus of the group's meeting must be a presentation or discussion of a book or article published by a professional body.

(c) The topics of the group's discussion must be directly related to established mental health care and relevant to good practice.

(d) A maximum of two hours may be credited for a group meeting.

(e) Credit for participation in a study group must be approved in advance by the board. To apply for approval, a regulated social worker must submit the names of the group members and discussion topics to the board.

(7) Development and presentation of a conference, workshop, or seminar that would be countable for credit under section (1) or (2) of this rule.

Stat. Auth.: ORS 675.510(3), 675.530(1)(3), 675.535(1), 675.537(1)(3), 675.560 (2), 675.571(4), 675.595(3), 675.600(1)(a)

Stats. Implemented: ORS 675.510 - 675.600

877-025-0011

Required Hours of Continued Education

(1) Generally.

(a) A regulated social worker is required to report continuing education for all periods during which the person's registration or license is active except for the period covered by the initial certificate of registration or license, unless a waiver is granted under section (2) of this rule. An initial issuance is the first issuance of the board of a certificate of registration or license to the regulated social worker.

(b) Following the first renewal of a certificate of registration or license, except when the regulated social worker is on inactive status, the regulated social worker must complete continuing education in each reporting period at the times described in OAR 877-025-0021. The holder of an inactive certificate of registration or license is not required to submit the biennial report.

(c) A report covering a two-year period must include:

(A) For a registered baccalaureate social worker, a minimum of 20 hours of creditable continuing education.

(B) For a master's social worker, a minimum of 30 hours of creditable continuing education.

(C) For a licensed clinical social worker, a minimum of 40 hours of creditable continuing education.

(d) In a report that covers a shorter period than two years, as may happen in the case of the first report by a new regulated social worker or following the reactivation of a registration or license, the number of hours required by sub-section (c) of this section is pro-rated.

(2) Waiver of requirement.

(a) Upon timely written request of a regulated social worker, made as soon as the regulated social worker is aware of the possible need for a waiver, the board may reduce the number of hours required by section (1) of this rule in the event the regulated social worker is unable, due to

circumstances beyond the reasonable control of the [licensee] regulated social worker, to complete the number of hours of continued education required by this division of rules.

(b) A reduction authorized by the board would normally reflect the regulated social worker's ability to attend training during the time not affected by the adverse circumstances leading to the request. For instance, a regulated social worker unaffected by the adverse circumstance during the first year of a two-year reporting period would be expected to obtain 20 hours of credit.

c) Examples of circumstances that may justify a waiver are:

(A) A circumstance beyond the reasonable control of the regulated social worker makes it impracticable to attend training for an extended time.

(B) The health of the regulated social worker or of another person makes it impracticable to attend training for an extended time.

Stat. Auth.: ORS 675.510(3), 675.530(1)(3), 675.535(1), 675.537(1)(3), 675.560 (2), 675.571(4), 675.595(3), 675.600(1)(a)

Stats. Implemented: ORS 675.510 - 675.600

**DIVISION 40
PROCEDURES FOR HANDLING
COMPLAINTS TO THE BOARD**

877-040-0050

Contested Case Hearing

When the board takes disciplinary action, the board will place notice of this action in the Directory of Regulated Social Workers. The board will also provide notice of the action to the Oregon Chapter of the National Association of Social Workers (NASW), the Oregon Society of Clinical Social Workers (OSCSW), and to the Association of Social Work Boards (ASWB) Disciplinary Action Reporting System (DARS).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 675.510 - 675.600, 675.900 & 675.990

Stats. Implemented: ORS 675.595