

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form.

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| Board of Licensed Social Workers    | Chapter 877                         |
| Agency and Division                 | Administrative Rules Chapter Number |
| Martin Pittioni, Executive Director | 503-373-1163                        |
| Rules Coordinator                   | Address Telephone                   |

**RULE CAPTION**

Proposed rules implementing Senate Bill 177 (2009), and House Bill 2345 (2009).

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

|                    |           |  |                                |
|--------------------|-----------|--|--------------------------------|
| September 21, 2010 | 8:00 a.m. | 3218 Pringle Road SE, 2 <sup>nd</sup> Floor Conf. Room / | Rebecca Rasmussen, Board Chair |
| Hearing Date       | Time      | Location   | Hearings Officer               |

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:** ~~877-001-0005~~; 877-001-0006; 877-001-0015; 877-001-0025; 877-005-0101; 877-015-0105; 877-015-0108; 877-015-0131; 877-015-0136; 877-015-0146; 877-015-0155; 877-040-0018;

**AMEND:** 877-010-0005; 877-010-0010; 877-010-0015; 877-010-0020; 877-010-0025; 877-010-0030; 877-010-0040; 877-010-0045; 877-020-0000; 877-020-0005; 877-020-0008; 877-020-0010; 877-020-0016; 877-020-0046; 877-020-0055; 877-022-0005; 877-025-0001; 877-025-0006; 877-025-0011; 877-025-0016; 877-025-0021; 877-030-0025 through 877-030-100; 877-040-0000; 877-040-0003; 877-040-0010; 877-040-0050;

**REPEAL:** 877-020-0015; 877-020-0020; 877-020-0030; 877-030-0050; 877-035-0000 through 877-035-0015 (entire division 35);

**RENUMBER:** ---

**AMEND & RENUMBER:** ---

**Stat. Auth. :** **ORS 675.510-ORS 675.600; ORS 675.990-994; ORS 676.150; ORS 676.175 - ORS 676.177;**

**Other Auth.:** Senate Bill 177 (2009), House Bill 2059 (2009), House Bill 2345 (2009)

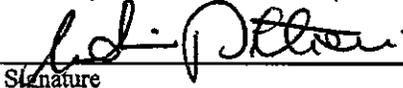
**Stats. Implemented:** **ORS 675.510 – ORS 675.600; ORS 676.150; ORS 675.990-994**

**RULE SUMMARY**

Implements Senate Bill 177 (2009) provisions that become law on January 1, 2011, including requirements for application and renewal for new, non-clinical licensing options that become available then: Registered Bachelors of Social Work – RBSW, and Licensed Masters of Social Work – LMSW. Moves all licenses issued by the Board, except Clinical Social Work Associates, to 2-year licensure. Defines certain terms used in the definition of clinical social work in ORS 675.510(2). Adopts rule exempting MSW students engaging in clinical social work from the mandatory licensure requirement for clinical social work. Consolidates mandatory reporting requirements, including those required by House Bill 2059 (2009), into one section of the Board's Ethics Code. Applies the Board's Ethics Code to all regulated social workers. Adopts the temporary rule to implement House Bill 2345, which eliminates the Board's Impaired Professional's Program. Adopts the definition of impairment required by HB 2345, and related changes to the complaint management rules. The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

September 21, 2010, at 10:00 a.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)



MARTIN PITTIONI

7/15/2010

Signature

Printed name

Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

State Board of Licensed Social Workers

Chapter 877

Agency and Division

Administrative Rules Chapter Number

Proposed rules to implement Senate Bill 177 (2009), and House Bill 2345 (2009).

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Amendment of Rules in Oregon Administrative Rules Chapter 877, Divisions 10, 20, 22, 25, 30, 40; establishing new rules in Chapter 877 Divisions 1, 5, 15, and 40; and repeal of rules in Divisions 20, 30, and 35.

Statutory Authority: ORS 675.510-ORS 675.600; ORS 675.990-994; ORS 676.150; ORS 676.175 - ORS 676.177;

Other Authority: Senate Bill 177 (2009), House Bill 2059 (2009); House Bill 2345 (2009).

Stats. Implemented: ORS 675.510-ORS675.600; ORS 675.990-994; ORS676.150;

Need for the Rule(s): Implements provisions of Senate Bill 177 (2009) taking effect on January 1, 2011, including requirements for application and renewal for new, non-clinical licensing options: Registered Bachelors of Social Work – RBSW, and Licensed Masters of Social Work – LMSW. The proposed rule reduces the burden on licensees and the Board by moving all licenses issued by the Board, except Clinical Social Work Associates, to 2-year licensure. The rule defines certain terms used in the definition of clinical social work in ORS 675.510(2). The rule consolidates mandatory reporting requirements into one section of the Board's Ethics Code. The rule clarifies the ethical responsibility for all regulated social workers to take into account the new license types. The proposed rule adopts the temporary rule to implement House Bill 2345, which eliminates the Board's Impaired Professional's Program, adopts the definition of impairment in HB 2345, and makes related changes to the complaint management rules.

Documents Relied Upon, and where they are available:

The proposed rules text is published on the Board's web site, [www.oregon.gov/bcsw](http://www.oregon.gov/bcsw). The web site also has a published set of documents from the Rules Advisory Committee the Board consulted as part of rule development. The bills implemented, Senate Bill 177 (2009) and House Bill 2345 can be accessed through the Oregon State Legislature web site: [www.leg.state.or.us](http://www.leg.state.or.us). Copies of the proposed rule are also available by contacting the Board Office at 503.378.5735 or toll-free at 1.866.355.7050.

Fiscal and Economic Impact: Some cost reduction for most licensees due to extension of licensing terms from 1 year to 2 year basis. Moderate cost of compliance with application and licensure requirements.

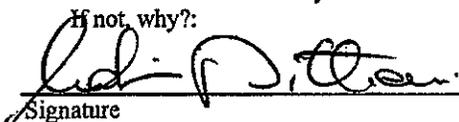
Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): Small - voluntary new licensing options.
2. Cost of compliance effect on small business (ORS 183.336): Some savings due to licensure cycle length increase.
  - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: Proposed rules affect 3700 existing licensees and certificate holders, primarily practicing in public and private agency settings, with a minority of about 700 licensees in a private practice / small business setting, and about 1300 degreed and unlicensed social workers.
  - b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: Some increase in costs due to assessment of what constitutes clinical social work and thus may trigger a licensure requirement. Voluntary moderate costs for non-clinical social workers who choose RBSW or LMSW licensure.
  - c. Equipment, supplies, labor and increased administration required for compliance: Moderate to none.

How were small businesses involved in the development of this rule? A rule advisory committee that included licensees in private and public practice, as well as an unlicensed degreed social worker, was consulted.

Administrative Rule Advisory Committee consulted? YES

If not, why?:

  
Signature

MARTIN PITTONI 7/15/2010  
Printed name Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form.

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| Board of Licensed Social Workers    | Chapter 877                         |
| Agency and Division                 | Administrative Rules Chapter Number |
| Martin Pittioni, Executive Director | 503-373-1163                        |
| Rules Coordinator                   | Address Telephone                   |

**RULE CAPTION**

Proposed Rule to establish and raise fees effective 1/1/2010, to implement SB 177 (2009).

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

|                    |           |  |                                |
|--------------------|-----------|--|--------------------------------|
| September 21, 2010 | 8:00 a.m. | 3218 Pringle Road SE, 2 <sup>nd</sup> Floor Conf. Room / | Rebecca Rasmussen, Board Chair |
| Hearing Date       | Time      | Location   | Hearings Officer               |

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:** 877-001-0020;

**AMEND:**

**REPEAL:**

**RENUMBER:** ----

**AMEND & RENUMBER:**

**Stat. Auth. : ORS 675.510-ORS 675.600; [ORS 675.532 and ORS 675.533 effective January 1, 2011]**

**Other Auth.:** Senate Bill 177 (2009)

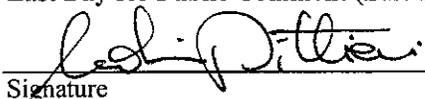
**Stats. Implemented:** ORS 675.571; ORS 675.532; ORS 675.533

**RULE SUMMARY**

Establishes fees to implement Senate Bill 177 (2009) provisions that become law on January 1, 2011, including fees for application, initial certification and renewal for Registered Bachelors of Social Work – RBSW, and Licensed Masters of Social Work – LMSW. Clarifies which LCSWs will pay one-year fee for renewal in 2011 (no fee increase), and which LCSWs will renew in 2011 on a 2-year basis (fee is not raised, 2 year fee is proportionally based on the existing one-year renewal fee), as the Board begins to convert LCSW licensure from a one-year basis to a two-year basis in 2011. The proposed rule substantially increases the late fee for LCSW licensure renewals to deter late renewals and help licensees avoid the serious consequences of licensure lapse when mandatory licensure for clinical social work takes effect on January 1, 2011. The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

September 21, 2010, at 10:00 a.m.

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

|  |                |           |
|--|----------------|-----------|
|  | MARTIN PITIONI | 8/13/2010 |
| Signature  | Printed name   | Date      |

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

State Board of Licensed Social Workers

Chapter 877

Agency and Division

Administrative Rules Chapter Number

Proposed Rule to establish and raise fees effective 1/1/2010, to implement SB 177 (2009).

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Establishing New Rules in Oregon Administrative Rules Chapter 877, Division 1.

Statutory Authority: ORS 675.510-ORS 675.600;

Other Authority: Senate Bill 177 (2009)

Stats. Implemented: ORS 675.571; ORS 675.532; ORS 675.533;

Need for the Rule(s): Establishes fees to implement Senate Bill 177 (2009) provisions that become law on January 1, 2011, including fees for application, initial certification and renewal for Registered Bachelors of Social Work – RBSW, and Licensed Masters of Social Work – LMSW. The proposed rule is necessary to support implementation of 2-year licensure for LCSWs, by clarifying which LCSWs will pay one-year fee for renewal in 2011, and which LCSWs will renew in 2011 on a 2-year basis. The proposed rule deters LCSW licensure lapse, which will carry much more serious consequences as of January 1, 2011, through a major increase in the late fee for LCSW licensure renewals.

Documents Relied Upon, and where they are available:

The proposed rules text for establishment of fees will be published on the Board's web site, [www.oregon.gov/blsw](http://www.oregon.gov/blsw), The web site already has published related background information, such as Senate Bill 177, a fact sheet and power point overview of Senate Bill 177, text of the related current proposed rules to implement Senate Bill 177, and related documents from the Rules Advisory Committee the Board consulted as part of Senate Bill 177-related rule development. The bill implemented, Senate Bill 177 (2009) can be accessed through the Oregon State Legislature web site: [www.leg.state.or.us](http://www.leg.state.or.us). Copies of the proposed rule are also available by contacting the Board Office at 503.378.5735 or toll-free at 1.866.355.7050

Fiscal and Economic Impact: Some processing cost reduction for LCSW licensees due to extension of licensing terms from 1 year to 2 year basis. Moderate cost of application and licensure for new RBSW and LMSW programs.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

Small – voluntary, moderately priced new RBSW and LMSW licensing options.

2. Cost of compliance effect on small business (ORS 183.336): Some savings due to licensure cycle length increase. Moderate costs for those who choose voluntary licensure.

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: Proposed rules affect 3700 licensees, primarily practicing in public and private agency settings, with a minority of about 700 licensees in a private practice / small business setting, and about 1300 degreed and unlicensed social workers.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: Some decrease in costs due to conversion of LCSW license; moderate increases in administrative and record keeping costs for those becoming newly licensed.

c. Equipment, supplies, labor and increased administration required for compliance: Moderate to none.

How were small businesses involved in the development of this rule? A rule advisory committee that included licensees in private and public practice, as well as an unlicensed degreed social worker, was consulted.

Administrative Rule Advisory Committee consulted? YES

If not, why?:

  
Signature

MARTIN PITIONI

Printed name

8/13/2010

Date