

Redline copy of rules reflection potential changes.

24.14.01 – RULES OF THE STATE BOARD OF SOCIAL WORK EXAMINERS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Section 54-3204, Idaho Code. ()

001. SCOPE.

These rules govern the practice of social work in Idaho. ()

~~002. – 009. (RESERVED)~~

0102. DEFINITIONS.

~~01. Professionalism. Behavior exhibited on the part of an applicant which is in conformity with the Social Work Code of Professional Conduct as defined in Section 450 of these rules and within the limits of state law. ()~~

021. Psychotherapy. Treatment methods using a specialized, formal interaction between a Clinical Social Worker and an individual, couple, family, or group in which a therapeutic relationship is established, maintained, or sustained to understand unconscious processes, intrapersonal, interpersonal, and psychosocial dynamics, and the diagnosis and treatment of mental, emotional, and behavioral disorders, conditions, and addictions. ()

032. Relative. For the purposes of these rules, a relative is a person's spouse, parent, child, or sibling, regardless of whether the relation is by blood, through marriage, or by law. ()

03. Supervisor. A clinical social worker who has been licensed for at least two years, has not been disciplined for acts relating to client care within the past five (5) years, and has completed fifteen hours of clinical supervisor training. ()

Commented [CM1]: Replaces some of the requirements struck in Rule 211.

~~04. Supportive Counseling. Supportive counseling by a social worker means a method used by social workers to assist individuals, couples, families, and groups in learning how to solve problems and make decisions about personal, health, social, educational, vocational, financial, and other interpersonal concerns. This help in the maintenance of adaptive patterns is done in the interview through reassurance, advice giving, information providing, and pointing out client strengths and resources. Supportive counseling does not seek to reach unconscious material. ()~~

~~011. – 099. (RESERVED)~~

100. APPROVED COLLEGES AND UNIVERSITIES, LICENSURE

01. Approved College, University, or Program. Any educational institution accredited by the US Department of Education, a regionally accredited institution of higher education, or as otherwise approved by the Board, and college, university, or school of social work that is accredited or is a candidate for accreditation by the Northwest Commission on Colleges and Universities or any similar accrediting body, and that offers a social work program that is accredited by the Council on Social Work Education (CSWE) or that is as otherwise approved by the Board. The social work program must be a recognizable, coherent organizational entity within the institution. ()

~~101. – 199. (RESERVED)~~

200. LICENSING QUALIFICATIONS AND DEFINITION OF TERMS.

All applicants for licensing under the Social Work Licensing Act must meet the minimum qualifications as set forth by this act. ()

~~01. **Educational Requirements.** Educational requirements must be verified by submission of official transcripts sent directly to the Board from the educational institution or from the repository of primary source credentialing information administered by the Association of Social Work Boards (ASWB). Applicants are responsible for arranging transmission of this information. ()~~

Commented [CM2]: This is unnecessary as transmission of transcripts is already on the application and is also covered enough by I.C. § 54-3206.

~~2010. **PRACTICE OF SOCIAL WORK STANDARDS.**~~

~~01. **Baccalaureate Social Work.** The application of social work theory, knowledge, methods, and ethics to restore or enhance social or psychosocial functioning of individuals, couples, families, groups, organizations, and communities. Baccalaureate social work is a generalist practice that includes assessment, planning, intervention, evaluation, case management, information and referral, supportive counseling, supervision, and consultation with clients. Baccalaureate social work also includes advocacy, education, community organization, and the development, implementation and administration of policies, programs, and activities. Bachelor level social workers are prohibited from performing psychotherapy. Baccalaureate social work can include independent practice, but not private practice. ()~~

~~02. **Master's Social Work.** The application of social work theory, knowledge, methods and ethics, and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities. Master's social work requires the application of specialized knowledge and advanced practice skills in the areas of assessment, treatment planning, implementation and evaluation, case management, information and referral, supportive counseling, supervision and consultation with clients, advocacy, teaching, research, community organization, and the development, implementation, and administration of policies, programs, and activities. Master level social workers who do not hold clinical licensure may provide psychotherapy only under the supervision of a licensed clinical social worker, psychologist, or psychiatrist and in accordance with an approved supervision plan. Master's social work can include independent practice, but not private practice. ()~~

~~03. **Clinical Social Work.** The practice of clinical social work is a specialty within the practice of master's social work and requires the application of specialized clinical knowledge and advanced clinical skills in the areas of assessment, diagnosis, and treatment of mental, emotional, and behavioral disorders, conditions and addictions. Clinical social work is based on knowledge and theory of psychosocial development, behavior, psychopathology, motivation, interpersonal relationships, environmental stress, social systems, and cultural diversity, with particular attention to person-in-environment. It shares with all social work practice the goal of enhancement and maintenance of psychosocial functioning, including psychotherapy, of individuals, couples, families, and small groups. Clinical social work includes, but is not limited to, individual, couples, family and group psychotherapy, and includes independent and private practice. ()~~

~~04. **Employment of a Social Worker.** A social worker employed directly by a physician, psychologist or other social worker, or by a public or private agency, institution, hospital, nursing home, rehabilitation center, or any similar facility, is not to be considered within the definition of an independent practitioner. Furthermore, a social worker who contracts with an agency or institution that assumes full responsibility for and supervises the services provided to clients is not considered to be a private practitioner. ()~~

Commented [CM3]: Deleted as unnecessary for modern practice.

~~202. - 209. (Reserved)~~

~~210. **SUPERVISION.**~~

~~01. **Generally Applicable Supervision Requirements.** All supervised experience, as set forth in this section, must meet the following requirements: ()~~

~~a. Supervision must be consultative-teaching supervision which is directed toward enhancement and improvement of the individual's social work values, knowledge, methods, and techniques. ()~~

~~b. A minimum of one hundred (100) hours of the required supervision must be face-to-face contact with the supervisor and must occur on a regular and on-going basis. Supervision may include a face-to-face setting~~

Commented [CM4]: The face-to-face and group supervision requirements are maintained in new Rule 100.03.
•Ratios were deleted as unsupported by statutory authority.

provided by a secure live electronic connection. The secure live electronic connection must comply with any applicable state and federal laws, rules and regulations, including the health insurance portability and accountability act (HIPAA). ()

i. A supervisee may count in full all time in a supervisory session where the ratio of supervisor to supervisees does not exceed one (1) supervisor to two (2) social workers. All one hundred (100) hours may be earned in such a one (1) to two (2) setting. ()

ii. Group supervision may count for no more than fifty (50) hours of face-to-face contact. Group supervision may count only where the ratio of supervisor to supervisees does not exceed one (1) supervisor to six (6) supervisees, and the allowable countable time must be prorated by the following formula: total session minutes divided by total supervisees, multiplied by two (2) equals the maximum allowable countable time per supervisee for the session. i.e. a supervisee attending a one (1) hour group supervisory session consisting of six (6) supervisees must be allowed twenty (20) minutes of group supervision credit (60 minutes/6 supervisees x 2 = 20 minutes). ()

~~02. Pursuing Licensure As Independent Practitioners. Requirements for supervision of baccalaureate or master's social workers pursuing licensure as independent practitioners. ()~~

~~a. Develop a plan for supervision that must be reviewed and approved by a designated Board member prior to commencement of supervision. ()~~

~~b. Complete a minimum of three thousand (3,000) hours of supervised social work experience. The hours must be accumulated in not less than two (2) years but in not more than five (5) years unless an extension is approved by the Board for good cause shown. ()~~

~~c. Supervision must be provided by a qualified and experienced licensed social worker with a current license in good standing and approved to pursue independent practice. ()~~

~~i. For a baccalaureate social worker the supervisor must hold a license at the baccalaureate, masters, or clinical level. ()~~

~~ii. For a masters social worker the supervisor must hold a license at the masters, or clinical level. ()~~

~~iii. Prior to a change in supervisors, the supervisee must notify the Board and the change must be approved by a designated member of the Board prior to the commencement of supervision by the new supervisor. ()~~

~~iv. The supervisee may not have more than two (2) supervisors at any given time. ()~~

~~03. Pursuing Licensure As Approved Postgraduate Supervised Clinical Experience for Clinical Social Worker License. Requirements for supervision of master's social workers pursuing licensure as clinical social worker. ()~~

~~a. Develop a plan for supervision that must be reviewed and approved by a designated Board member prior to commencement of supervision. ()~~

~~b. Complete a minimum of Three thousand (3,000) hours of supervised clinical social work experience must be completed over the course of no fewer than two (2) years and no more than five (5) years, including 1.) focused on clinical social work. The hours must be accumulated in not less than two (2) years but in not more than five (5) years unless an extension is approved by the Board for good cause shown. The hours must also meet the following:~~

~~i. One thousand seven hundred fifty (1,750) hours of direct client contact involving treatment in clinical social work as defined; and ()~~

Commented [CM5]: Independent licensure is no longer necessary with changes to the general scope of practice.
●All licensees holding a current independent license will be transitioned to the corresponding license.

Commented [CM6]: This will be moved and reordered as Rule 100.03.
●The same number of experience hours are required.
●Preapproval of supervision plans is not supported by statutory authority, so that requirement has been removed. Clinical licensure applicants and their supervisors will instead submit forms with the licensure application that attest to compliance with requirements.
●Clarification is added that master's level social workers must maintain supervision (if still performing clinical duties) until a clinical license is issued, but that licensees can not continue to practice clinical work under supervision after five years.
●Out-of-state supervision must meet the same requirements as in-state supervision.

~~ii. One thousand two hundred fifty (1,250) hours involving of assessment, diagnosis, and other clinical social work, including indirect hours that may occur outside the presence of a client; as defined. () and 2.) at least one hundred (100) hours of in-person or remote live electronic connection face-to-face contact with the supervisor, and with no more than fifty (50) hours of the face-to-face contact hours involving group supervision.~~

~~e. At least Fifty percent (50%) of the supervision supervised experience must be provided by a licensed clinical social worker, with registered as a supervisor pursuant to Section 211 of these rules. The remaining fifty percent (50%) of supervision may be provided by one or more of the following: ()~~

~~i. A licensed clinical social worker who is registered as a supervisor pursuant to Section 211; ()~~

~~ii. A licensed clinical psychologist; ()~~

~~iii. A psychiatrist, person licensed to practice medicine and surgery who practices in the area of psychiatry; ()~~

~~iv. A licensed clinical professional counselor, registered as a supervisor by the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists; or ()~~

~~v. A licensed or marriage and family therapist. The supervisor must be licensed in the state in which the supervised experience was obtained. Supervision for clinical work must continue until clinical licensure is issued. The apprenticeship program must comply with all criteria identified on the Clinical Social Work Supervision Report Forms. Supervision must be interactive and consultative teaching directed toward the enhancement and improvement of the individual's social work values, knowledge, methods, and techniques. Hours spent on case management will not count toward clinical social work hours, registered as a supervisor by the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists. ()~~

~~a. Any licensee who has reached the maximum of five (5) years of experience and who is awaiting passing test results may not continue to practice under supervision and may only practice at the level of licensure that they currently hold. ()~~

~~b. If the supervised experience was completed more than five (5) years prior to application for licensure the Board will evaluate the applicant's competency, including evaluating completion of continuing education, supervised practice, examination, and/or practice in another jurisdiction. ()~~

~~d. Prior to a change in supervisors, the supervisee must notify the Board and the change must be approved by a designated member of the Board prior to the commencement of supervision by the new supervisor. ()~~

~~c. The supervisee may not have more than two (2) supervisors at any given time. ()~~

~~04. Out-of-State Supervised Experience. The Board may consider supervised experience obtained outside the state of Idaho submitted for Idaho licensure purposes as proscribed under Section 210.03 and consistent with that jurisdictions laws. Such experience, whether already obtained or planned to be obtained, must be included in the plan for supervision and reviewed and approved by a designated Board member. ()~~

~~a. Previous supervised experience must have been obtained within the five (5) year period preceding the submission of the plan for supervision and must have been obtained in compliance with the law and rules of the state in which the experience was obtained. ()~~

211. SOCIAL WORK SUPERVISOR REGISTRATION.

~~Idaho licensed social workers must be registered with the Board in order to provide postgraduate supervision for those individuals in Idaho pursuing licensure as a clinical social worker. ()~~

~~01. Requirements for Registration. ()~~

~~a. Document at least two years' experience as a licensed clinical social worker. ()~~

Commented [CM7]: Supervisor registration was deleted as unsupported by statutory authority.
•The majority of the supervisor requirements are maintained in new Rule 002.03.
•A six-hour supervisor refresher course is no longer required, but the Clinical Supervision Report forms state that supervisors must maintain their specialized clinical supervision training.

~~b. Have not been the subject of any disciplinary action for five (5) years prior to application for registration. ()~~

~~c. Document fifteen (15) contact hours of education in clinical supervisor training within the past five (5) years, as approved by the Board, or if previously registered as a supervisor with the Board, document six (6) hours of education in advanced supervisor training as approved by the Board. ()~~

~~02. Registration. ()~~

~~a. Upon receipt of a completed application verifying compliance with the requirements for registration as a supervisor, the applicant must be registered as a supervisor. ()~~

~~b. A supervisor's registration must remain valid only so long as the individual's clinical social worker license remains current and in good standing. ()~~

~~03. Renewal. A supervisor's registration is valid for a term of five (5) years. To renew a supervisor registration, the registered supervisor must submit a renewal application and: ()~~

~~a. Hold an active Idaho clinical social worker license which has not been subject to discipline, the Board may, in its discretion, approve a supervisor who has been previously disciplined based on the nature of the discipline and the time elapsed; and ()~~

~~b. Document six (6) hours of continuing education in advanced supervisor training as approved by the Board and completed within the previous five (5) years. ()~~

~~212. – 224. (RESERVED)~~

~~225. INACTIVE STATUS.~~

~~016. Request for Inactive Status. Each person A licensee requesting an inactive status must submit the required form and pay the inactive license fee. ()~~

~~02. Inactive License Status. ()~~

~~a. All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license and is not actively practicing or supervising in Idaho. ()~~

~~b. To return to active status, a licensee must complete one (1) year of continuing education requirements and submit a fee equivalent to the difference between the inactive and active renewal fee. ()~~

~~03. Return to Active Status After Five (5) Years or More of Inactive Status. Licensee must provide an account to the Board for that period of time during which the license was inactive and fulfilling requirements that After five (5) years of going inactive, a licensee must demonstrate competency to resume practice, as required by the Board. These requirements may include, but are not limited to, education, supervised practice, and examination, as determined by the Board. The Board may consider and/or practice in another jurisdiction, in determining competency. ()~~

~~226. – 299. (RESERVED)~~

~~3400. FEES.~~

~~All fees are non-refundable.~~

FEE TYPE	AMOUNT (Not to Exceed)	RENEWAL (Not to Exceed)	INACTIVE (Not to Exceed)
----------	---------------------------	----------------------------	-----------------------------

Commented [CM8]: This will be moved and reordered as Rule 100.06.
•The requirements to return to active status within five years are included in new Rule 100.05.

Commented [CM9]: This will be moved and reordered as Rule 400.

Application	\$70		
Examination	Set by testing service		
Endorsement and License	\$90		
Licensed Clinical Social Worker	\$70	\$90	\$45
Licensed Masters Social Worker	\$70	\$80	\$40
Licensed Social Worker	\$70	\$80	\$40
Reinstatement	In accordance with Section 67-2614, Idaho Code		

()

~~301. — 349. — (RESERVED)~~

~~350. — EXAMINATIONS AND ENDORSEMENT.~~

~~Applications for examination and endorsement may be reviewed and approved by a designated Board member upon determination that the applicant meets the qualifications. Approval to sit for examination does not obligate the Board to issue a license if it is later determined that the applicant does not meet the requirements for licensure.~~ ()

~~**021. Approved Examination.** The applicable Board approves the uniform, nationally standardized examination of the Association of Social Work Boards (ASWB) as the Idaho licensure examination for the license type, passed within the previous seven (7) years.~~ ()

- ~~a. Bachelor level candidates are required to successfully pass the bachelor's examination.~~ ()
- ~~b. Masters level candidates are required to successfully pass the master's examination.~~ ()
- ~~c. Clinical level candidates are required to successfully pass the clinical examination.~~ ()

~~**02. Graduation Date to Qualify for Exam.** Candidates for examination who can satisfy the Board that they will be graduating at the end of the spring, summer, or fall terms of any given year may qualify for examination immediately preceding the date of graduation.~~ ()

~~**034. Endorsement.** In addition to the requirement in Section 54-3208, Idaho Code, the applicant must have successfully passed the approved examination for the license type or an equivalent, unless such an examination was not required at the time of the applicant's original licensure. The Board may grant a license to any person who submits an application and who:~~ ()

- ~~a. Holds a current, active social work license, at the level for which a license is being sought, issued by the authorized regulatory entity in another state or country, the certification of which must be received directly by the Board from the issuing agency; and~~ ()
- ~~b. Has not been disciplined within the last five (5) years, had a license revoked, suspended, restricted, or otherwise sanctioned by any regulatory entity and has never voluntarily surrendered a license; and~~ ()
- ~~c. Has not been convicted, found guilty, or received a withheld judgment or suspended sentence for~~

Commented [CM10]: This will be moved and reordered as Rule 100.02.
 •Current subsection 02 was deleted as approval to sit for the exam is unsupported by statutory authority. Applicants will now have official exam scores submitted as part of their licensure application.

Commented [CM11]: This will be moved and reordered as Rule 100.04.
 •54-3208 requires endorsement applicants to "hold a current unrestricted license in another state or territory."
 •Subsections b and c are covered under 54-3211.

any crime that is inconsistent with the profession of social work. ()

d. Has successfully passed an examination, as referenced in Subsection 350.02, or an examination provided by the Professional Examination Service (PES) at the clinical social worker and social worker level or the Education Testing Service (ETS) examination; and ()

e. Has certified under oath to abide by the laws and rules governing the practice of social work in Idaho and the code of professional conduct. ()

f. The Board may waive the examination requirement in Subsection 350.05.d. for an applicant who was not required to pass such an examination at the time the applicant initially obtained a social work license, provided that the applicant meets all other requirements in this subsection and has actively practiced social work for five (5) of the last seven (7) years preceding application. ()

351. CONTINUING EDUCATION.

015. Continuing Education Requirements. To renew or return to active status, licensees must complete during the preceding twenty-four (24) months, and retain proof of completion, of thirty (30) hours of continuing education, two (2) hours of which must be in professional ethics and the remainder germane to the practice of social work. CE hours may be obtained for preparing and providing germane continuing education or training to other professionals and for individual research projects. ()

a. Continuing education is required for renewal at all levels of social work licensure in Idaho. The Board may waive this requirement upon a showing of good cause. ()

b. Each licensee must complete a minimum of twenty (20) continuing education (CE) hours, including at least one (1) hour in professional ethics. ()

c. Compliance with the continuing education (CE) requirements for licensees must be reported annually. A continuing education course taken in any renewal year, but not claimed for CE credit in that year, may be utilized for credit in the following renewal year. ()

d. Licensees will maintain documentation verifying CE attendance and curriculum for a period of four (4) years. This documentation will be subject to audit by the board. ()

e. Licensees are not required to comply with this requirement during the first year in which they become licensed under the social work act. ()

f. One (1) continuing education hour equals one (1) clock hour. ()

g. Courses that are part of the curriculum of an accredited university, college or other educational institution are allotted CE credit at the rate of fifteen (15) CE hours for each semester hour or ten (10) CE hours for each quarter hour of school credit awarded. ()

h. Applications for reinstatement of a canceled license must include documented proof of meeting the continuing education requirements for the previous twelve (12) months. The requirement for professional ethics training continues during any period of cancellation. ()

02. Categories of Continuing Education. ()

a. Category I. Category I includes formally organized learning events, ideally involving face-to-face interaction with a teacher for the purpose of accomplishing specific learning objectives. Courses, workshops, conferences, practice-oriented seminars, staff development and training activities coordinated and/or taught by approved and recognized educators also are included in this category. Because of our geographic location and sparse population, closed-circuit T.V., video and audio tapes, internet-based courses, and correspondence courses may be

Commented [CM12]: This will be moved and reordered as Rule 100.05.

•The requirement has changed from 20 hours with 1 hour of ethics every year to 30 hours with 2 hours of ethics every two years, resulting in a 10 hour reduction in required CEs.

•The CE categories have been deleted, but the ability to obtain CE credit for research projects and providing CE courses has been maintained. The limit on the number of hours for this has been eliminated.

•The restriction on CE sources has been removed to allow for more options. All CE must be germane to the profession.

substituted for face-to-face contact if the course is interactive or requires an examination. ()

b. Category II. No more than ten (10) CE hours may be obtained from this category. Category II consists of a variety of self-directed professional study activities and growth experiences. Examples include making an initial presentation on professional issues or programs, teaching a course for the first time, presenting a lecture or conducting a workshop for the first time, editing or writing professional books or articles, and conducting professional research. ()

c. The subject matter of all approved continuing education must be germane to the practice of social work as defined in Section 54-3202, Idaho Code, and may include the specialties of Marriage and Family Therapy, Psychiatry, Psychiatric Nursing, or Psychology. ()

03. Continuing Education Sources. ()

a. Continuing education course providers must include: ()

i. Professional Associations. Continuing education hours may be obtained by participating in activities sponsored by or approved by professional associations including but not limited to the Idaho Chapter of the National Association of Social Workers, Idaho Society for Clinical Social Workers. The professional association must certify the number of clock hours of educational content in each sponsored or approved activity. ()

ii. Educational Institutions. Continuing education hours may be obtained by completing coursework not below your level of licensing or by participating in continuing education programs sponsored by or approved by educational institutions accredited by a regional body recognized by the Council on Post Secondary Accreditation. The educational institution must certify the number of clock hours of educational content in each sponsored or approved program. ()

iii. Government Agencies, Schools and Hospitals. Continuing education hours may be obtained by participating in in-service training, courses or workshops sponsored by federal, state, or local government agencies, public school systems and licensed hospitals. The provider must certify the number of clock hours of educational content in each approved activity. ()

iv. Private social service agencies and other entities. Continuing education hours may be obtained by participating in continuing education programs sponsored by agencies or entities who regularly provide social work services. The provider must certify the number of clock hours of educational content in each approved activity. ()

b. All continuing education hours must be relevant to the profession of social work at the individual's particular level of social work licensure. The presenter's level of education must be at the licensee's level or above. Continuing education for clinical licensees must be clinical in nature except that five (5) hours each year may be non-clinical but must be germane to the practice of social work. Final approval of acceptable programs rests with the Board. ()

04. Documentation. ()

a. Each licensee must maintain documentation verifying CE attendance and curriculum for a period of four (4) years from the date of completion. This documentation will be subject to audit by the Board. ()

b. Licensees must attest, on their annual license renewal application, that they have satisfied the continuing education requirements. False attestation of satisfaction of the continuing education requirements on a renewal application will subject the licensee to disciplinary action, including revocation. ()

c. Continuing education documents must be in the form of a certificate of attendance, a statement signed by the provider verifying participation in the activity, an official transcript, or other documentation such as a certificate or letter from the sponsoring entity that includes the title of the activity, the subject material covered, the dates and number of hours credited, and the presenter's full name and professional credentials, or other

documentation as the Board may require. ()

352. — 399. — (RESERVED)

400. — UNPROFESSIONAL CONDUCT.

“Unprofessional conduct” is further defined as any violation of the Social Work Code of Professional Conduct. ()

401. — 449. — (RESERVED)

450. — STATEMENT OF PUBLIC POLICY AND CODE OF PROFESSIONAL CONDUCT.

The profession of social work is dedicated to serving people; the professional relationship between social workers and clients thus is governed by the highest moral and ethical values. The client is in a vulnerable role that extends beyond the time frame of actual services. In both social and professional interactions, this vulnerability is taken into consideration whether the person is currently or has been a client. Following is the Code of Professional Conduct: ()

014. Code of Professional Conduct. The Social Worker's Ethical Responsibility to Clients. ()

a. For the purpose of this Code of Professional Conduct, a client is anyone for whom the social worker provides social work services directly or indirectly through consultations, staffings, or supervision with other professionals. A social worker must operate within their education, training, and experience and meet the applicable standard of care provided by other qualified social workers in the same or similar community and under the same or similar circumstances. A standard of care violation may exist where a social worker engages in professional conduct that a reasonable social worker would not under the same or similar circumstances and in the same or similar community, or where the social worker knew or should have known the professional conduct would cause unreasonable harm to the client. ()

Commented [CM13]: This will be moved and reordered as Rule 200.04. Will include all subsections a-o.
•Competency will retain its own section as Rule 200.05.

b. The social worker will not commit fraud nor misrepresent services performed. ()

Commented [CM14]: Deleted as duplicative of 54-3211(3).

eb. The When a social worker will not solicit the clients of leaves an agency or practice, clients must be for which they provide provided prompt notice and the opportunity to remain with the agency or services for his private practice, or to continue care with the social worker. ()

Commented [CM15]: This protects the client's right to choose their provider.

ec. The A social worker will not divide a fee or accept or give anything of value for receiving or making a referral. ()

ed. The A social worker will provide clients with accurate and complete information regarding the extent and nature of the services available to them. ()

fe. The While a social worker will may terminate, transfer, or refer a client when the services service to clients, and professional relationships with them, when such service and relationships are no longer required needed or in the client's best which a conflict of interests, arises prompt notification should be provided to the client. The social worker must attempt to make appropriate referrals as indicated by the client's need or request for services. ()

g. A social worker may not violate a position of trust by knowingly committing any act detrimental to a client. ()

Commented [CM16]: This was deleted as too subjective. Practicing competently and complying with all other sections of the Code of Conduct, including the standard of care, should cover this.

hf. A social worker may not exploit, sexually or otherwise, their professional relationships with clients (or former clients), supervisees, supervisors, students, employees, or research participants, sexually or otherwise. Social workers will not condone or engage in sexual harassment. Sexual harassment is defined as deliberate or repeated comments, gestures, or physical contacts of a sexual nature that are unwelcomed by the recipient. ()

Commented [CM17]: Sexual harassment is covered by 'sexual acts' in new subsection g.

ig. A social worker may not engage in romantic or sexual acts with a client, or with a person who has

been a client within the past three (3) years, with a relative of a client, or with a person known to the social worker with whom the client maintains to have a close personal relationship with the client when it has the potential to be harmful to the client, during and for three (3) years following termination of a social worker's services. A social worker must not provide social work services to a person with whom he/she has they have had a romantic or sexual relationship. ()

~~02. The Social Worker's Conduct and Compartment as a Social Worker. ()~~

~~ah.~~ In providing services, a social worker may not discriminate on the basis of age, gender, gender identity, sexual orientation, race, color, religion, national origin, mental status, physical disability, social or economic status, political belief, or any other preference or personal characteristic, condition or status. ()

~~b.~~ Social workers may not undertake any activity in which their personal problems are likely to lead to inadequate performance or harm to a client, colleague, student, or research participant. If engaged in such activity when they become aware of their personal problems, they must seek competent professional assistance to determine whether they should suspend, terminate, or limit the scope of their professional activities. ()

~~c.~~ A social worker may not practice while impaired by medication, alcohol, drugs, or other chemicals. A social worker may not practice under a mental or physical condition that impairs the ability to practice safely. ()

~~d.~~ A social worker may not repeatedly fail to keep scheduled appointments. ()

~~e.~~ The social worker who anticipates the termination or interruption of service to clients must notify clients promptly and seek the transfer, referral, or continuation of services in relation to the clients' needs and preferences. ()

~~f.~~ The social worker must attempt to make appropriate referrals as indicated by the client's need for services. ()

~~gi.~~ A social worker must obtain the client's or legal guardian's informed written consent when a client is to be involved in any research project. A social worker must explain the research, including any implications. ()

~~hj.~~ The A social worker must obtain informed consent of clients before taping, recording, or permitting third party observation of their activities. ()

~~ik.~~ A social worker must safeguard information given by clients in providing client services. Except when required by law or judicial order, a social worker must obtain the client's informed written consent before releasing confidential information from the setting or facility except for compelling reasons defined as but not limited to: ()

~~i.~~ Consultation with another professional on behalf of the client thought to be dangerous to self or others; ()

~~ii.~~ Duty to warn pursuant to Chapter 19, Title 6, Idaho Code; ()

~~iii.~~ Child abuse and sexual molestation pursuant to Chapter 16, Title 16, Idaho Code; and ()

~~iv.~~ Any other situation in accordance with statutory requirements. ()

~~jl.~~ A social worker, regardless of personal or professional relationship, must report any licensee's violation of the Board's law or rules, including Code of Professional Conduct, by a person certified under Chapter 32, Title 54, Idaho Code. ()

Commented [CM18]: This was deleted as too subjective. Practicing competently and complying with all other sections of the Code of Conduct, including the standard of care, should cover this.

Commented [CM19]: Deleted as duplicative of 54-3211(2).

Commented [CM20]: Deleted as a business matter and inappropriate grounds for discipline.

Commented [CM21]: Rolled into Rule 200.04.e (new).

Commented [CM22]: Deleted as unnecessary when these are all required by law.

~~035. **Competency Practice for Social Workers.** All social workers must practice in a competent manner consistent with their level of education, training and experience. ()~~

Commented [CM23]: This will be moved and reordered as Rule 200.05.

~~a. A social worker must only represent himself and practice in a competent manner within the boundaries of his education, training, licensure level, supervision, and other relevant professional experience. ()~~

~~b. A social worker must only practice within new areas or use new intervention techniques or approaches after engaging in appropriate study, training, consultation, or supervision. ()~~

~~c. A social worker must exercise careful judgment, when generally recognized standards do not exist with respect to an emerging area of practice; and take responsible steps to ensure the competence of his practice. ()~~

~~04m. **The Advertising Rules for Social Workers.** No A social worker may not disseminate or cause the dissemination of any fraudulent or deceptive advertisement, or advertising that is any way fraudulent, false, deceptive or misleading. Any advertisement or advertising is deemed by the board to be fraudulent, false, deceptive, or misleading if it:~~

Commented [CM24]: All subsections were deleted as unnecessary with the revised language. All are examples of fraudulent or deceptive advertising.

~~a. Contains a misrepresentation of fact; or ()~~

~~b. Is misleading or deceptive because in its content or in the context in which it is presented it makes only a partial disclosure of relevant facts. More specifically, it is misleading and deceptive for a social worker to advertise free services or services for a specific charge when in fact the social worker is transmitting a higher charge for the advertised services to a third party payor for payment or charges the patient or a third party. It is misleading and deceptive for a social worker or a group of social workers to advertise a social work referral service or bureau unless the advertisement specifically names each of the individual social workers who are participating in the referral service or bureau. ()~~

~~c. Creates false or unjustified expectations of beneficial treatment or successful outcomes; or ()~~

~~d. Fails to identify conspicuously the social worker or social workers referred to in the advertising as a social worker or social workers; or ()~~

~~e. Contains any representation or claims, as to which the social worker, referred to in the advertising, fails to perform; or ()~~

~~f. Contains any representation which identifies the social worker practice being advertised by a name which does not include the terms "social worker," "social work," or some easily recognizable derivation thereof; or ()~~

~~g. Contains any representation that the practitioner has received any license or recognition by the state of Idaho or its authorized agents, which is superior to the license and recognition granted to any social worker who successfully meets the licensing requirements of Chapter 32, Title 54, Idaho Code; or ()~~

~~h. Appears in any classified directory, listing, or compendium under a heading, which when considered together with the advertisement, has the capacity or tendency to be deceptive or misleading with respect to the profession or professional status of the social worker; or ()~~

~~i. Contains any other representation, statement, or claim which is misleading or deceptive. ()~~

~~05n. **Dual Relationships.** A social worker may not engage in dual or multiple relationships with clients, or with relatives of a client, or with individuals with whom clients maintain have close personal relationships known to the social worker, in which a reasonable and prudent social worker would conclude after appropriate assessment that there is a risk of harm or exploitation to the client or of impairing a social worker's objectivity or professional judgment. A dual or multiple relationship is a relationship that occurs when a social worker interacts~~

with a client in more than one capacity, whether it be before, during, or after the professional, social, or business relationship. Dual or multiple relationships can occur simultaneously or consecutively. After an appropriate assessment determines that the relationship does not create a risk of harm or exploitation to the client and will not impair a social worker's objectivity or professional judgment, the social worker must document in case records, prior to the interaction, when feasible, the rationale for such a relationship, and the potential benefits to the client, and anticipated consequences for the client. ()

~~060. Business Relationships.~~ A social worker may not purchase goods or services from a client or otherwise engage in a business relationship with a client except when: ()

~~a. 1.)~~ The client is providing necessary goods or services to the general public; ()

~~b. 2.)~~ A reasonable and prudent social worker would determine that it is not practical or reasonable to obtain the goods or services from another provider; and ()

~~c. 3.)~~ A reasonable and prudent social worker would ~~determine~~ conclude after appropriate and documented assessment that engaging in the business relationship will not be detrimental to the client or the professional relationship. ()

~~07. Bartering.~~ Bartering is the acceptance of goods, services, or other nonmonetary remuneration from a client in return for a social worker's services. Social workers may not barter except when such arrangement is not exploitative and: ()

~~a.~~ Is initiated by the client and with the client's written informed consent; and ()

~~b.~~ Has an easily determined fair market value of the goods or services received. ()

451. – 474. (RESERVED)

~~475. DISCIPLINE~~

~~01. Civil Fine.~~ The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensed social worker for each violation of Section 54-3211, Idaho Code. ()

~~02. Costs and Fees.~~ The Board may order a licensed social worker to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-3211, Idaho Code. ()

476. – 999. (RESERVED)

Commented [CM25]: Deleted as creating too much potential for conflicts of interest and exploitation.

Commented [CM26]: Deleted as unsupported by statutory authority.

Clean copy of rules in proper order

24.14.01 – RULES OF THE STATE BOARD OF SOCIAL WORK EXAMINERS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Section 54-3204, Idaho Code. ()

001. SCOPE.

These rules govern the practice of social work in Idaho. ()

002. DEFINITIONS.

01. Psychotherapy. Treatment methods using a specialized, formal interaction between a Clinical Social Worker and an individual, couple, family, or group in which a therapeutic relationship is established, maintained, or sustained to understand unconscious processes, intrapersonal, interpersonal, and psychosocial dynamics, and the diagnosis and treatment of mental, emotional, and behavioral disorders, conditions, and addictions. ()

02. Relative. For the purposes of these rules, a relative is a person's spouse, parent, child, or sibling, regardless of whether the relation is by blood, through marriage, or by law. ()

03. Supervisor. A clinical social worker who has been licensed for at least two years, has not been disciplined for acts relating to client care within the past five (5) years, and has completed fifteen hours of clinical supervisor training. ()

04. Supportive Counseling. A method used to assist individuals, couples, families, and groups in learning how to solve problems and make decisions about personal, health, social, educational, vocational, financial, and other interpersonal concerns. This help in the maintenance of adaptive patterns is done in the interview through reassurance, advice giving, information providing, and pointing out client strengths and resources. Supportive counseling does not seek to reach unconscious material. ()

100. LICENSURE

01. Approved College, University, or Program. An educational institution accredited by the US Department of Education, a regionally accredited institution of higher education, or as otherwise approved by the Board, and a social work program accredited by the Council on Social Work Education (CSWE) or as otherwise approved by the Board. ()

02. Approved Examination. The applicable Association of Social Work Boards (ASWB) licensing examination for the license type, passed within the previous seven (7) years. ()

03. Approved Postgraduate Supervised Clinical Experience for Clinical Social Worker License. Three thousand (3,000) hours of supervised clinical social work experience must be completed over the course of no fewer than two (2) years and no more than five (5) years, including 1.) one thousand seven hundred fifty (1,750) hours of direct client contact involving treatment in clinical social work as defined and one thousand two hundred fifty (1,250) hours of assessment, diagnosis, and other clinical social work, including indirect hours that may occur outside the presence of a client; and 2.) at least one hundred (100) hours of in-person or remote live electronic connection face-to-face contact with the supervisor, and with no more than fifty (50) hours of the face-to-face contact hours involving group supervision. At least fifty percent (50%) of the supervision must be provided by a licensed clinical social worker, with the remaining supervision provided by a licensed clinical psychologist, psychiatrist, clinical professional counselor, or marriage and family therapist. The supervisor must be licensed in the state in which the supervised experience was obtained. Supervision for clinical work must continue until clinical licensure is issued. The apprenticeship program must comply with all criteria identified on the Clinical Social Work Supervision Report Forms. Supervision must be interactive and consultative teaching directed toward the enhancement and improvement of the individual's social work values, knowledge, methods, and techniques. Hours

spent on case management will not count toward clinical social work hours. ()

a. Any licensee who has reached the maximum of five (5) years of experience and who is awaiting passing test results may not continue to practice under supervision and may only practice at the level of licensure that they currently hold. ()

b. If the supervised experience was completed more than five (5) years prior to application for licensure the Board will evaluate the applicant's competency, including evaluating completion of continuing education, supervised practice, examination, and/or practice in another jurisdiction. ()

04. Endorsement. In addition to the requirement in Section 54-3208, Idaho Code, the applicant must have successfully passed the approved examination for the license type or an equivalent, unless such an examination was not required at the time of the applicant's original licensure. ()

05. Continuing Education. To renew or return to active status, licensees must complete during the preceding twenty-four (24) months, and retain proof of completion, of thirty (30) hours of continuing education, two (2) hours of which must be in professional ethics and the remainder germane to the practice of social work. CE hours may be obtained for preparing and providing germane continuing education or training to other professionals and for individual research projects. Courses that are part of the curriculum of an accredited university, college or other educational institution are allotted CE credit at the rate of fifteen (15) CE hours for each semester hour or ten (10) CE hours for each quarter hour of school credit awarded. ()

06. Inactive Status. A licensee requesting inactive status must submit the required form and pay the inactive license fee. After five (5) years of going inactive, a licensee must demonstrate competency to resume practice, as required by the Board. The requirements may include, but are not limited to, education, supervised practice, examination, and/or practice in another jurisdiction. ()

200. PRACTICE STANDARDS.

01. Baccalaureate Social Work. The application of social work theory, knowledge, methods, and ethics to restore or enhance social or psychosocial functioning of individuals, couples, families, groups, organizations, and communities. Baccalaureate social work is a generalist practice that includes assessment, planning, intervention, evaluation, case management, information and referral, supportive counseling, supervision, and consultation with clients. Baccalaureate social work also includes advocacy, education, community organization, and the development, implementation and administration of policies, programs, and activities. Bachelor level social workers are prohibited from performing psychotherapy. ()

02. Master's Social Work. The application of social work theory, knowledge, methods and ethics, and the professional use of self to restore or enhance social, psychosocial or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities. Master's social work requires the application of specialized knowledge and advanced practice skills in the areas of assessment, treatment planning, implementation and evaluation, case management, information and referral, supportive counseling, supervision and consultation with clients, advocacy, teaching, research, community organization, and the development, implementation, and administration of policies, programs, and activities. Master level social workers who do not hold clinical licensure may provide psychotherapy only under the supervision of a licensed clinical social worker, psychologist, or psychiatrist. ()

03. Clinical Social Work. The practice of clinical social work is a specialty within the practice of master's social work and requires the application of specialized clinical knowledge and advanced clinical skills in the areas of assessment, diagnosis, and treatment of mental, emotional, and behavioral disorders, conditions and addictions. Clinical social work is based on knowledge and theory of psychosocial development, behavior, psychopathology, motivation, interpersonal relationships, environmental stress, social systems, and cultural diversity, with particular attention to person-in-environment. It shares with all social work practice the goal of enhancement and maintenance of psychosocial functioning, including psychotherapy, of individuals, couples, families, and small groups. ()

04. Code of Professional Conduct.

a. A social worker must operate within their education, training, and experience and meet the applicable standard of care provided by other qualified social workers in the same or similar community and under the same or similar circumstances. A standard of care violation may exist where a social worker engages in professional conduct that a reasonable social worker would not under the same or similar circumstances and in the same or similar community, or where the social worker knew or should have known the professional conduct would cause unreasonable harm to the client. ()

b. When a social worker leaves an agency or practice, clients must be provided prompt notice and the opportunity to remain with the agency or practice, or to continue care with the social worker. ()

c. A social worker will not divide a fee or accept or give anything of value for receiving or making a referral. ()

d. A social worker will provide clients with accurate and complete information regarding the extent and nature of the services available to them. ()

e. While a social worker may terminate, transfer, or refer a client when the services are no longer needed or in the client's best interests, prompt notification should be provided to the client. The social worker must attempt to make appropriate referrals as indicated by the client's need or request for services. ()

f. A social worker may not exploit, sexually or otherwise, their professional relationships with clients, supervisees, supervisors, students, employees, or research participants. ()

g. A social worker may not engage in romantic or sexual acts with a client, a relative of a client, or a person known to the social worker to have a close personal relationship with the client when it has the potential to be harmful to the client, during and for three (3) years following termination of a social worker's services. A social worker must not provide social work services to a person with whom they have had a romantic or sexual relationship. ()

h. In providing services, a social worker may not discriminate on the basis of age, gender, gender identity, sexual orientation, race, color, religion, national origin, mental status, physical disability, social or economic status, political belief, or any other preference or personal characteristic, condition or status. ()

i. A social worker must obtain the client's or legal guardian's informed written consent when a client is to be involved in a research project. A social worker must explain the research, including any implications. ()

j. A social worker must obtain informed consent of clients before taping, recording, or permitting third party observation. ()

k. A social worker must safeguard information given by clients in providing client services. ()

l. A social worker, regardless of personal or professional relationship, must report a licensee's violation of the Board's law or rules. ()

m. A social worker may not disseminate or cause the dissemination of any fraudulent or deceptive advertisement. ()

n. A social worker may not engage in dual or multiple relationships with clients or with relatives of a client, or with individuals with whom clients have close personal relationships known to the social worker, in which a reasonable and prudent social worker would conclude after appropriate assessment that there is a risk of harm or exploitation to the client or of impairing a social worker's objectivity or professional judgment. A dual or multiple relationship is a relationship that occurs when a social worker interacts with a client in more than one capacity, whether it be before, during, or after the professional, social, or business relationship. Dual or multiple relationships

can occur simultaneously or consecutively. After an appropriate assessment determines that the relationship does not create a risk of harm or exploitation to the client and will not impair a social worker’s objectivity or professional judgment, the social worker must document in case records, prior to the interaction, when feasible, the rationale for such a relationship, and the potential benefits. ()

o. A social worker may not purchase goods or services from a client or otherwise engage in a business relationship with a client except when 1.) the client is providing necessary goods or services to the general public; 2.) a reasonable and prudent social worker would determine that it is not practical or reasonable to obtain the goods or services from another provider; and 3.) a reasonable and prudent social worker would conclude after appropriate and documented assessment that engaging in the business relationship will not be detrimental to the client or the professional relationship. ()

05. Competency.

a. A social worker must only represent himself and practice in a competent manner within the boundaries of his education, training, licensure level, supervision, and other relevant professional experience. ()

b. A social worker must only practice within new areas or use new intervention techniques or approaches after engaging in appropriate study, training, consultation, or supervision. ()

c. A social worker must exercise careful judgment when generally recognized standards do not exist with respect to an emerging area of practice and take responsible steps to ensure the competence of his practice. ()

400. FEES.

All fees are non-refundable.

FEE TYPE	AMOUNT (Not to Exceed)	RENEWAL (Not to Exceed)	INACTIVE (Not to Exceed)
Application	\$70		
Endorsement License	\$90		
Licensed Clinical Social Worker	\$70	\$90	\$45
Licensed Masters Social Worker	\$70	\$80	\$40
Licensed Social Worker	\$70	\$80	\$40
Reinstatement	In accordance with Section 67-2614, Idaho Code		

()