

Proposed Montana Licensed Clinical Social Worker and Social Worker Candidates Administrative Rule “Walkthrough”

The Montana Board of Social Work Examiners and Licensed Professional Counselors is proposing a set of comprehensive and sweeping changes to many of the Administrative Rules of Montana for Montana Licensed Social Workers & Social Workers *planning on becoming licensed*, Social Work *Clinical Supervisors* & Social Workers *planning on becoming inactive*.

Although NASW Montana has requested the Board of Social Work Examiners to extend the comment period on the proposed rules by a month, the present ***deadline for comment is January 28, 2009 as stated below***:

Please be advised that the time provided for making public comment is limited. The public notice states: Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Social Work Examiners and Professional Counselors, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or by e-mail to dlibsdswp@mt.gov, and must be received no later than 5:00 p.m., January 28, 2009.

The Notice of Proposed Rule Making can be downloaded by clicking on the following link: http://mt.gov/dli/bsd/license/bsd_boards/swp_board/pdf/24-219-21pro-arm.pdf . We urge all of you to download, read, and respond to them.

Please understand the scope of these proposed amendments is comprehensive and sweeping. At the end of each section a “Reason” for the proposed amendment is provided in the Notice of Public Hearing Amendment download. _

Overview of Proposed Amendments (Administrative Rules of Montana) for Social Workers

24.219.301-Proposed Definitions:

- Changes/clarifies the definition of **Supervision for Social Work Applicants**.
- Defines **“Dual Relationship”**
- Defines **“Exploitation”**
- Defines **“Sexual Contact”**

24.219.401-Fee Schedule for Social Workers, re: inactive status

24.219.501-Application Procedures for Social Workers-Provides that Social Work Applicants will have a **maximum of 3 attempts to successfully pass the licensure exam**. Provisions for not passing after 3 attempts are proposed.

24.219.504-License Requirements

- Requiring the **Social Work Applicant to maintain a record of supervision** & outlines the areas to be covered in supervision including:
 - identified theory base
 - application of a differential diagnosis,
 - establishing and monitoring a treatment plan,
 - development and appropriate use of the professional relationship,
 - assessing the client for risk of imminent danger,
 - implementing a professional and ethical relationship with clients and colleagues
 - content demonstrating the applicant's developing competence in the areas identified
 - attestation of the record of supervision by the supervisor.

24.219.509-Inactive Status and Conversion from Inactive to Active Status

24.219.2101 Hours, Credits, and Carry over-The 20 clock hours required shall include **a minimum of 2 clock hours of instruction in ethics.**

24.219.2301 Unprofessional Conduct for Social Workers

- Clarifies prohibition of **sexual conduct with clients and former clients**
- Describes prohibition of **dual relationship with a client or former client**
- Describes prohibition against **bartering** with clients or former clients