

## SENATE AMENDMENTS TO SENATE BILL 177

By COMMITTEE ON HUMAN SERVICES AND RURAL HEALTH POLICY

April 2

- 1 On page 1 of the printed bill, delete lines 8 through 27 and delete page 2.  
2 On page 3, delete lines 1 through 21 and insert:  
3 **“SECTION 1.** ORS 675.510 is amended to read:  
4 “675.510. As used in ORS 675.510 to 675.600, unless the context requires otherwise:  
5 “[*(1) ‘Board’ means the State Board of Clinical Social Workers.*]  
6 **“(1) ‘Authorization to practice regulated social work’ means a certificate or license is-**  
7 **sued by the State Board of Licensed Social Workers under ORS 675.510 to 675.600.**  
8 **“(2) ‘Clinical social work’ means the professional practice of applying principles and methods**  
9 **with individuals, couples, families, children and groups, which include, but are not restricted to:**  
10 **“(a) Providing diagnostic, preventive and treatment services of a psychosocial nature pertaining**  
11 **to personality adjustment, behavior problems, interpersonal dysfunctioning or deinstitutionalization;**  
12 **“(b) Developing a psychotherapeutic relationship to employ a series of problem solving tech-**  
13 **niques for the purpose of removing, modifying, or retarding disrupted patterns of behavior, and for**  
14 **promoting positive personality growth and development;**  
15 **“(c) Counseling and the use of psychotherapeutic techniques, such as disciplined interviewing**  
16 **which is supportive, directive or insight oriented depending upon diagnosed problems, observation**  
17 **and feedback, systematic analysis, and recommendations;**  
18 **“(d) Modifying internal and external conditions that affect a client’s behavior, emotions, think-**  
19 **ing, or intrapersonal processes;**  
20 **“(e) Explaining and interpreting the psychosocial dynamics of human behavior to facilitate**  
21 **problem solving; and**  
22 **“(f) Supervising, administering or teaching clinical social work practice.**  
23 **“[(3) ‘Clinical social work associate’ means a person who holds a master’s degree from an accred-**  
24 **ited college or university accredited by the Council on Social Work Education whose plan of practice**  
25 **and supervision has been approved by the board, and who is working toward licensure in accordance**  
26 **with ORS 675.510 to 675.600 and rules adopted by the board.]**  
27 **“[(4)] (3) ‘Impaired clinical social worker’ means a person **who is** unable to perform the practice**  
28 **of clinical social work by reason of mental illness, physical illness or alcohol or other drug abuse.**  
29 **“[(5) ‘Licensed clinical social worker’ means a person licensed under the provisions of ORS 675.510**  
30 **to 675.600 to practice clinical social work.]**  
31 **“(4) ‘Regulated social worker’ means a clinical social work associate certified under ORS**  
32 **675.537 or a clinical social worker licensed under ORS 675.530.**  
33 **“[(6)] (5) ‘Unprofessional conduct’ includes, but is not limited to, any conduct or practice con-**  
34 **trary to recognized standards of ethics of the social work profession or any conduct that constitutes**  
35 **or might constitute a danger to the health or safety of a client or the public or in any other manner**

1 fails or might fail to adhere to the recognized standards of the profession.

2 **“SECTION 2.** ORS 675.510, as amended by section 1 of this 2009 Act, is amended to read:

3 “675.510. As used in ORS 675.510 to 675.600, unless the context requires otherwise:

4 “(1) ‘Authorization to practice regulated social work’ means a certificate or license issued by  
5 the State Board of Licensed Social Workers under ORS 675.510 to 675.600.

6 “(2) ‘Clinical social work’ means the professional practice of applying principles and methods  
7 with individuals, couples, families, children and groups, which include, but are not restricted to:

8 “(a) Providing diagnostic, preventive and treatment services of a psychosocial nature pertaining  
9 to personality adjustment, behavior problems, interpersonal dysfunctioning or deinstitutionalization;

10 “(b) Developing a psychotherapeutic relationship to employ a series of problem solving tech-  
11 niques for the purpose of removing, modifying, or retarding disrupted patterns of behavior, and for  
12 promoting positive personality growth and development;

13 “(c) Counseling and the use of psychotherapeutic techniques, such as disciplined interviewing  
14 which is supportive, directive or insight oriented depending upon diagnosed problems, observation  
15 and feedback, systematic analysis, and recommendations;

16 “(d) Modifying internal and external conditions that affect a client’s behavior, emotions, think-  
17 ing, or intrapersonal processes;

18 “(e) Explaining and interpreting the psychosocial dynamics of human behavior to facilitate  
19 problem solving; and

20 “(f) Supervising, administering or teaching clinical social work practice.

21 “(3) ‘Impaired clinical social worker’ means a person who is unable to perform the practice of  
22 clinical social work by reason of mental illness, physical illness or alcohol or other drug abuse.

23 “(4) ‘Regulated social worker’ means a **baccalaureate social worker registered under section**  
24 **6 of this 2009 Act, a master’s social worker licensed under section 7 of this 2009 Act, a** clinical  
25 social work associate certified under ORS 675.537 or a clinical social worker licensed under ORS  
26 675.530.

27 “(5) ‘Unprofessional conduct’ includes, but is not limited to, any conduct or practice contrary  
28 to recognized standards of ethics of the social work profession or any conduct that constitutes or  
29 might constitute a danger to the health or safety of a client or the public or in any other manner  
30 fails or might fail to adhere to the recognized standards of the profession.”.

31 In line 25, before “A” begin a new paragraph and insert “(1)”.

32 After line 27, insert:

33 “(2) Subsection (1) of this section does not prohibit the use of the educational designations  
34 ‘Bachelor of Social Work’ or ‘Master’s of Social Work’ by a person who is not a regulated social  
35 worker.”.

36 In line 28, after “Sections” insert “4a,”.

37 After line 29, insert:

38 **“SECTION 4a. A person may not practice clinical social work unless the person is a**  
39 **clinical social worker licensed under ORS 675.530 or a clinical social work associate certified**  
40 **under ORS 675.537, except if the person is:**

41 **“(1) Licensed or certified by the State of Oregon to provide mental health services, pro-**  
42 **vided that the person is acting within the person’s lawful scope of practice and does not**  
43 **represent that the person is a clinical social worker or clinical social work associate;**

44 **“(2) A recognized member of the clergy, provided that the person is acting in the person’s**  
45 **ministerial capacity and does not represent that the person is a clinical social worker or**

1 **clinical social work associate; or**

2 **“(3) A student in a social work graduate degree program that meets the requirements**  
3 **established by the State Board of Licensed Social Workers by rule.”.**

4 In line 32, after “practice” insert “regulated”.

5 In line 34, after “of” insert “clinical”.

6 In line 36, delete “is authorized” and insert “has an authorization”.

7 On page 6, line 36, delete “\$5,000” and insert “\$3,000”.

8 On page 7, delete lines 3 through 8 and insert:

9 **“(5) Subject to the provisions of ORS chapter 183 relating to a contested case, the board may**  
10 **impose a civil penalty in an amount up to \$5,000 upon proof that, after a person’s authorization to**  
11 **practice regulated social work has been revoked by the board, the person has:**

12 **“(a) Engaged in the practice of clinical social work; or**

13 **“(b) Represented that the person is a regulated social worker.**

14 **“SECTION 12a. Subject to the provisions of ORS chapter 183 relating to a contested case,**  
15 **the State Board of Licensed Social Workers may impose a civil penalty of up to \$5,000 upon**  
16 **proof that a person who is not a clinical social worker licensed under ORS 675.530 or a clin-**  
17 **ical social work associate certified under ORS 675.537 has:**

18 **“(1) Engaged in the practice of clinical social work, unless the person is permitted to**  
19 **practice clinical social work under section 4a of this 2009 Act; or**

20 **“(2) Represented that the person is a clinical social worker or clinical social work asso-**  
21 **ciate.”.**

22 Delete lines 22 through 37 and insert:

23 **“(3) The board shall adopt rules setting forth requirements for renewal of a baccalaureate social**  
24 **worker registration and renewal of a master’s social worker license.”.**

25 In line 38, delete “(5)” and insert “(4)”.

26 In line 44, delete “(6)” and insert “(5)”.

27 On page 8, delete line 4.

28 In line 5, delete “(B)” and insert “(A)”.

29 In line 7, delete “(C)” and insert “(B)”.

30 On page 10, delete lines 1 through 9 and insert:

31 **“(4) In addition to any other privilege or immunity provided by law, members of the board,**  
32 **members of its administrative and investigative staff, agents of the board and attorneys acting for**  
33 **the board as prosecutors or counsel have the same privileges and immunities from civil, adminis-**  
34 **trative and criminal proceedings arising by reason of official actions as prosecuting and judicial of-**  
35 **ficers of the state.**

36 **“(5) A person who has made a complaint to the board or who has given information or testimony**  
37 **relative to a proposed or pending proceeding before the board is not answerable for any such act**  
38 **in any proceeding except for perjury.”.**

39 Delete lines 21 through 23 and insert:

40 **“(a) Four members shall be clinical social workers licensed under ORS 675.530; and”.**

41 On page 15, line 12, delete “regulated clinical” and insert “regulated”.

42 In line 16, restore “the”.

43 On page 23, line 2, delete “clinical”.

44 On page 25, line 13, delete “clinical”.

45 In line 30, delete “clinical social work associate.”.

- 1 In line 33, delete “clinical social work associate.”
- 2 On page 42, line 45, delete “6 and 7” and insert “4a, 6, 7 and 12a”.
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