

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 332

92ND GENERAL ASSEMBLY

Reported from the Committee on Professional Registration and Licensing March 6, 2003, with recommendation that the House Committee Substitute for House Bill No. 332 Do Pass by Consent.

Perfecting by Consent March 14, 2003.

STEPHEN S. DAVIS, Chief Clerk

1073L.02P

AN ACT

To repeal sections 337.600 and 337.633, RSMo, and to enact in lieu thereof three new sections relating to social work, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 337.600 and 337.633, RSMo, are repealed and three new sections
2 enacted in lieu thereof, to be known as sections 337.600, 337.604, and 337.633, to read as
3 follows:

337.600. As used in sections 337.600 to [337.639] **337.689**, the following terms mean:

2 (1) "Clinical social work", the application of methods, principles, and techniques of case
3 work, group work, client-centered advocacy, community organization, administration, planning,
4 evaluation, consultation, research, psychotherapy and counseling methods and techniques to
5 persons, families and groups in assessment, diagnosis, treatment, prevention and amelioration
6 of mental and emotional conditions;

7 (2) "Department", the Missouri department of economic development;

8 (3) "Director", the director of the division of professional registration in the department
9 of economic development;

10 (4) "Division", the division of professional registration;

11 (5) "Licensed clinical social worker", any person who offers to render services to
12 individuals, groups, organizations, institutions, corporations, government agencies or the general

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

13 public for a fee, monetary or otherwise, implying that the person is trained, experienced, and
14 licensed as a clinical social worker, and who holds a current, valid license to practice as a clinical
15 social worker;

16 (6) "Practice of clinical social work", rendering, offering to render, or supervising those
17 who render to individuals, couples, groups, organizations, institutions, corporations, or the
18 general public any service involving the application of methods, principles, and techniques of
19 clinical social work;

20 (7) "Provisional licensed clinical social worker", any person who is a graduate of an
21 accredited school of social work and meets all requirements of a licensed clinical social worker,
22 other than the supervised clinical social work experience prescribed by subdivision (2) of
23 subsection 1 of section 337.615, and who is supervised by a person who is qualified to practice
24 clinical social work, as defined by rule[.];

25 (8) "Social worker", any individual that has:

26 (a) Received a baccalaureate or master's degree in social work from an accredited
27 social work program approved by the council on social work education;

28 (b) Received a doctorate or Ph.D. in social work; or

29 (c) A current baccalaureate or clinical social worker license as set forth in sections
30 337.600 to 337.689.

337.604. 1. No person shall hold himself or herself out to be a "social worker"
2 unless such person has:

3 (a) Received a baccalaureate or master's degree in social work from an accredited
4 social work program approved by the council on social work education;

5 (b) Received a doctorate or Ph.D. in social work; or

6 (c) A current baccalaureate or clinical social worker license as set forth in sections
7 337.600 to 337.689.

8 2. No government entities, public or private agencies or organizations in the state
9 shall use the title "social worker" or any form of the title for volunteer or employment
10 positions or within contracts for services, documents, manuals, or reference material
11 effective January 1, 2004, unless the volunteers or employees in those positions meet the
12 criteria set forth in subdivision (8) of section 337.600 or subsection 1 of section 337.604.

337.633. 1. Violation of any provision of sections 337.600 to [337.639] 337.689 shall
2 be a class B misdemeanor.

3 2. All fees or other compensation received for services which are rendered in violation
4 of sections 337.600 to [337.639] 337.689 shall be refunded.

5 3. The department on behalf of the committee may sue in its own name in any court in
6 this state. The department shall inquire as to any violations of sections 337.600 to [337.639]

7 **337.689**, may institute actions for penalties herein prescribed, and shall enforce generally the
8 provisions of sections 337.600 to [337.639] **337.689**.

9 4. Upon application by the committee, the attorney general may on behalf of the
10 committee request that a court of competent jurisdiction grant an injunction, restraining order
11 or other order as may be appropriate to enjoin a person from:

12 (1) Offering to engage or engaging in the performance of any acts or practices for which
13 a certificate of registration or authority, permit or license is required upon a showing that such
14 acts or practices were performed or offered to be performed without a certificate of registration
15 or authority, permit or license; or

16 (2) Engaging in any practice of business authorized by a certificate of registration or
17 authority, permit or license issued pursuant to sections 337.600 to [337.639] **337.689** upon a
18 showing that the holder presents a substantial probability of serious harm to the health, safety or
19 welfare of any resident of this state or client or patient of the licensee.

20 5. Any action brought pursuant to the provisions of this section shall be commenced
21 either in the county in which such conduct occurred or in the county in which the defendant
22 resides.

23 6. Any action brought pursuant to this section may be in addition to or in lieu of any
24 penalty provided by this act and may be brought concurrently with other actions to enforce the
25 provisions of sections 337.600 to [337.639] **337.689**.