

## 2020 LEGISLATIVE CHANGES BY SECTION 2020 REGULAR SESSION LAW, CHAPTER 79, ARTICLE 3

### GOALS & IMPROVEMENTS

- Maintain current licensing requirements and standards
- No changes to scope of social work practice
- Housekeeping and policy improvement
- Common sense noncontroversial reform
- Address license mobility and workforce issues
- Reduce unnecessary licensing barriers
- Modernize and simplify regulations
- Improve operational efficiencies
- Incorporate technology changes
- Create more readable statute
- No fiscal impact

### MS 148E.010 DEFINITIONS

- Clarify and add new definitions including baccalaureate degree; continuing education; clock hour; continuing education independent learning; intern; practice of social work to clarify inclusion of “macro practice”; student; supervisee; supervision; supervisor; underrepresented community
- Add “underrepresented community” definition to ensure more inclusive board member representation (see MS 148E.025)

### MS 148E.015 SCOPE

- No changes to “Licensing; Scope of Practice” (see MS 148E.050)
- Clarify to align with current social work practice including telehealth services regardless of the location of the practitioner or the client
- Clarify to align with definition of practice of social work in MS 148E.010

### MS 148E.025 BOARD OF SOCIAL WORK

- No changes to total 15 members, including 10 licensed social workers and 5 public members

- Update board member qualifications to reduce complexity, increase opportunity, flexibility, and inclusion for qualified applicants incorporating feedback from Governor’s Office
- Change number of required license types for licensed professionals to reflect current data
- Update social work practice setting requirements to better reflect diversity of workforce
- Add “underrepresented community” qualification, in addition to current “community of color” qualification, to ensure more inclusive board member representation, including communities of color, LGBTQ, persons with disabilities

## MS 148E.045 CONTESTED CASE HEARING

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- Repeal
- Original 1987 provision; conflicts with current law and is redundant
- MS 214 and MS 14 govern contested cases for complaints and discipline and applies to all health-related licensing boards; should not be different standards for BOSW in 148E.045

## MS 148E.055 LICENSE REQUIREMENTS

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- No change to 4 current social work license types or core licensing requirements
- Reorganize subdivisions for increased readability
- Repeal obsolete BOSW criminal background check and insert MS 214.075 fingerprint criminal background check which applies uniformly to all health licensing boards
- Changes for **all license types**, LSW, LGSW, LISW, LICSW, via **examination**:
  - Remove limit on number of times applicants can examine
  - Continue to allow students to apply for licensure prior to graduation and allow examination within six months prior to graduation
- Changes for **LICSW** via **examination**:
  - Increase number of clock hours allowed via continuing education (CE) from 90 to 120 for “360 clinical clock hour” academic requirement
  - Allow all 120 hours completed via CE independent learning
- Changes for **all license types**, LSW, LGSW, LISW, LICSW, via **endorsement**:
  - Recognize consistent education and examination requirements across jurisdictions
  - Recognize full vetting completed by other jurisdiction for endorsement applicants currently licensed in other jurisdictions

## MS 148E.060 TEMPORARY LICENSES

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- Reorganize sections and renumber subdivisions for increased readability
- **“Students or persons not currently licensed in another jurisdiction”** and **“Applicants graduating from programs in candidacy status”** temporary licenses:
  - Change to allow CE earned while practicing on temporary license to apply to license renewal requirements
- **“Persons licensed in another jurisdiction”** temporary license:

- Remove “emergency situation” language from title as creates unintended barriers
- Allow practice in Minnesota for up to six months, once in a twelve-month period
- **“Teachers”** temporary license (applicant whose permanent residence is outside the USA and teaching social work in an academic institution in Minnesota not to exceed 12 months):
  - Repeal
  - Data shows rarely used; two granted in 10 years
  - Creates unnecessary residency-based restriction and different standards for educators

## MS 148E.070 LICENSE RENEWAL

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- Repeal obsolete language [Subd. 3(e)]; unnecessary as a result of current database technology
- Allow option to send renewal notices via US mail or electronically

## MS 148E.075 ALTERNATE LICENSES (INCLUDING TEMPORARY LEAVE, EMERITUS INACTIVE, EMERITUS ACTIVE)

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- Reorganize alternate license statuses into separate sections to increase clarity and differentiate requirements for each alternate license status:
  - 148E.0751 Temporary Leave License Status
  - 148E.0752 Emeritus Inactive License Status
  - 148E.0753 Emeritus Active License Status
- Allow application for alternate license status only at the time of license renewal to decrease potential cost to the licensee and increase operational efficiencies
- Repeal variance request for emergency practice while on alternate license status as data shows rarely used and current technology allows expedited application processing
- Emeritus Active License Status (MS 148E.0753):
  - Increase maximum number of hours for paid social work practice to aid workforce shortage to 1) provide licensing supervision, 2) consultation, and 3) present continuing education

## MS 148E.080 REACTIVATION

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- Reorganize and renumber subdivisions to improve clarity and efficiencies
- Adjust the required CE hours needed to reactivate to active license status:
  - At least 2 CE hours in social work ethics
  - Completion of the Board’s jurisprudence exam
- Decrease unnecessary barriers and expense for licensees returning to workforce

## MS 148E.085 VOLUNTARY TERMINATION

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- Reorganize to clarify requirements

## MS 148E.095 LICENSE CERTIFICATE OR CARD

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- Rename section to License Wall Certificate for clarity
- Delete redundant language
- Repeal requirement to print paper license cards to replace with online primary source license verification available on BOSW website, including public disciplinary and corrective actions

## MS 148E.130 CLOCK HOURS REQUIRED

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- Rename section 148E.130 “Continuing Education Requirements for Licensees” for increased clarity
- Repeal the following sections and incorporate into 148E.130:
  - 148E.140 Variances
  - 148E.165 Continuing Education Requirements of Licensees
- Update existing definition of “Independent Study” to “Continuing Education Independent Learning” (see MS 148E.010)
- No change to total number of 40 CE hours required at renewal
- Change CE clock hour requirements to be less prescriptive and increase access to online CE:
  - Reduce number of clinical content CE hours at renewal for LICSW license from 24 to 12 hours
  - Increase number of CE hours allowed via CE independent learning from maximum of 15 hours to 50% of required CE hours

## MS 148E.145 CONTINUING EDUCATION PROVIDERS

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- Rename section Continuing Education Providers for increased clarity
- Simplify statute by repealing sections and incorporating into 148E.145 Continuing Education Providers
  - 148E.150 Approved Continuing Education Providers
  - 148E.155 Approved Continuing Education Programs
  - 148E.160 Continuing Education Programs Approved by the Board
  - 148E.170 Revocation of Continuing Education Approvals
- Renumber subdivisions to include new sections