

## Why is social work licensing important?

...and when is it required?

- **It's the law:** Minnesota Statutes Chapter 148E
- Licensing **protects the public** by ensuring that social workers are **qualified, professional, ethical,** and **accountable**
- If a person has a **social work degree**, a license is required to **provide social work services** as defined in Minnesota Statutes section 148E.010, subdivisions 6 or 11, or **use the title social worker**, unless they are employed by a county or a federally recognized tribe



## How do I know if someone is licensed?

- Use the **public license lookup** at the Board's website to find out:
  - ▶ If your social worker is licensed
  - ▶ If the license is current
  - ▶ What type of license they have
  - ▶ If there has been public action against the license
  - ▶ If there are any restrictions on the license

## Who decides the outcome of a complaint?

...and how do they decide?

- ▶ **Board members are the decision-makers:**
  - Board has two Compliance Panels
  - Each Panel has three licensed Board members and one public Board member
  - Panel members review findings of the investigation and decide the outcome
  - If disciplinary action is recommended, the full Board must vote to approve the action
- ▶ **Case-by-case review:**
  - Every complaint is reviewed on its own individual facts
  - Board may contact you for more information
  - Board may contact the social worker for a response to the allegations
  - Board may ask the Attorney General to conduct an investigation
  - Board members review all information including:
    - ▶ Severity of the violation
    - ▶ Licensee's current ability to practice
    - ▶ Whether the licensee has a history of discipline
    - ▶ How best to protect the public

## Will I find out the outcome of my complaint?

- Provide your mailing address to the Board when you file the complaint to learn the final decision and the steps in the investigative process

## Protecting the Public

### Board of Social Work Complaint Resolution and Compliance Process

# FILING A COMPLAINT



You have the right to competent social work services

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social.work@state.mn.us|mn.gov/boards/social-work

## What is a complaint?

- A complaint is a **report** that a social worker may have **violated the Social Work Practice Act**
- **You can file a complaint** with the Board if your licensed social worker:
  - ▶ Mistreated you in any way
  - ▶ Was dishonest in providing services or billing
  - ▶ Released information without consent
  - ▶ Did not provide appropriate treatment
  - ▶ Did not practice safely and competently
  - ▶ Developed a personal relationship with you
  - ▶ Has an illness that impairs their ability to practice safely
- **Licensing provides safeguards** for the public in the rare event professional standards are not met

## How do I file a complaint?

- A complaint must be filed **in writing**
- Use the fillable PDF or download the **Complaint Registration Form** from the BOSW website
- Submit the form with a **detailed** description of your **concerns with the social worker** and any information you think the Board should know
- Complaints may be submitted via email, fax, or mail

## What happens if I file a complaint?

### BOARD RECEIVES COMPLAINT

- Board verifies if the person is licensed, an applicant for licensure, or calling themselves a social worker
- Board will respond to you in writing within 14 days of receiving your complaint

### BOARD INVESTIGATES COMPLAINT

- Board may contact you for more information
- Board may contact social worker for a response to the allegations
- Board may ask the Attorney General to conduct an investigation

### BOARD MEMBERS DECIDE

- Board has two Compliance Panels
- Each Panel has three licensed Board members and one public Board member
- Panel members review evidence of the investigation and decide the outcome

### BOARD NOTIFIES YOU OF OUTCOME

- Complaint data is non-public
- Board can only share the Panel's decision with the person who filed the complaint
- If the Panel takes disciplinary or corrective action against the licensee, that data is public



### Visit the Board's website:

- Find forms, search for board actions, look up a social work license, see licensing videos
- View Compliance Process video

## What are the possible outcomes if I file a complaint?

### ▶ **Non-public complaint outcomes:**

- **Dismissal** if there is not enough evidence or Board members determine action is not needed to protect the public
- **Referral** to the Health Professionals Services Program (HPSP) if the licensee has an illness that impacts their ability to practice safely

### ▶ **Public complaint outcomes:**

- **Corrective action** if licensee needs training and Board members agree additional education will effectively protect the public
- **Disciplinary action** if licensee has violated the Standards of Practice and Board members agree action is needed to protect the public
- Possible disciplinary actions include:
  - ▶ Civil penalty or fine
  - ▶ Reprimand
  - ▶ Additional supervised practice or education
  - ▶ Removal from practice through suspension or revocation of license

## Will the social worker know I filed a complaint?



- **No**—Minnesota Law says your identity is confidential—the Board **will not** tell the social worker who filed the complaint