

Board of Social Work 2020 Legislative Changes Effective August 1: What are the Key Changes?



WHAT ARE KEY CHANGES TO APPLICATIONS FOR LICENSURE?

| | NEW LAW EFFECTIVE AUGUST 1, 2020 | OUTGOING LAW EFFECTIVE UNTIL JULY 31, 2020 |
|-------------------------------|--|---|
| ALL APPLICANTS | Eliminate these requirements, allow applicant to take exam again without additional documentation | If applicant fails exam 3 times, must submit two letters of recommendation and a letter explaining efforts to improve score, BOSW must approve to re-take |
| | Specify that students may take the exam no more than six months prior to graduation to comply with ASWB exam policy | No language about when students applying for licensure may take the ASWB exam (in conflict with ASWB's requirement that students be approved for the exam no earlier than 6 months before graduation) |
| LICSW APPLICANTS | Up to 120 hours of the 360 academic Clinical Clock Hours required may be completed through CE | Up to 90 hours of the 360 academic Clinical Clock Hours required may be completed through CE |
| | All 120 hours of CE for 360 academic Clinical Clock Hour requirement may be completed through independent learning | 20 of 90 hours of CE for 360 academic Clinical Clock Hour requirement may be completed through independent study |
| | Eliminate post-test requirement for Clinical Clock Hours completed through CE | Post-test required for Clinical Clock Hours completed through CE |
| ENDORSEMENT APPLICANTS | Applicants for licensure by endorsement must: 1) hold a current social work license in good standing in another jurisdiction; based on substantially equivalent education and examination requirements across jurisdictions. No documentation of supervised practice required for LISW and LICSW applicants. | Applicants for licensure by endorsement must: 1) hold current social work license in another jurisdiction; 2) hold an accredited social work degree; 3) have passed the ASWB exam; and 4) document supervised practice for LISW and LICSW license |
| | Applicants for licensure by endorsement for LSW or LGSW in nonclinical practice not required to complete supervised practice if they have practiced for at least 4,000 hours while licensed in another jurisdiction within the last four years | Applicants for licensure by endorsement for LSW or LGSW in nonclinical practice must either document past supervised practice which meets Minnesota requirements or complete supervised practice once Minnesota license issued |

ADDITIONAL IMPROVEMENTS

- Eliminate unnecessary licensing barriers
- Reorganize subdivisions for clarity and readability
- Create operational efficiencies to expedite application processing
- Simplify and expedite licensure process
- Respond to workforce shortages and increase access to qualified providers
- Increase opportunity for CE independent learning to reduce cost and improve access

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WHAT ARE KEY CHANGES TO TEMPORARY LICENSES?

| | NEW LAW EFFECTIVE AUGUST 1, 2020 | OUTGOING LAW EFFECTIVE UNTIL JULY 31, 2020 |
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| | CE completed under temporary license (not required) may be applied to permanent license CE requirements | CE completed under temporary license not required or applicable to permanent license CE requirements |
| | Temporary license holders must comply with supervised practice requirements for permanent license | Temporary license holders must verify supervised practice before permanent license issued |
| | Eliminate “emergency situation” language and allow temporary license for a 6-month period up to once per year | Temporary license for persons licensed in another jurisdiction includes “emergency situation” language and limits temporary licensure to a one-time 6-month period |
| | Repeal visiting teacher temporary license to eliminate unnecessary residency-based restriction and different licensing standards for educators | Temporary license for visiting teachers whose permanent residence is outside the US and teach in an academic institution for 12 months or less |

ADDITIONAL IMPROVEMENTS

- Clarify how individuals with temporary licenses are required to represent themselves to the public
- Clarify effective and expiration dates of temporary licenses
- Expedite temporary licensing process and minimize unnecessary barriers

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WHAT ARE KEY CHANGES TO LICENSE RENEWAL, REACTIVATION + ALTERNATE STATUSES?

| | NEW LAW EFFECTIVE AUGUST 1, 2020 | OUTGOING LAW EFFECTIVE UNTIL JULY 31, 2020 |
|------------------|---|---|
| RENEWAL | Repeal; allow option to send renewal notice electronically | License renewal notices must be sent via US mail |
| | Repeal; primary source verification available online | License renewal card must be printed and mailed at each license renewal |
| REACTIVATION | Licensees reactivating to active license status from temporary leave or emeritus inactive license status required to document 2 CE hours in social work ethics and complete BOSW jurisprudence exam | Licensees reactivating to active status from temporary leave or emeritus inactive license status required to document completion of 40 CE hours for each 24-month period license was inactive |
| ALTERNATE STATUS | Add separate subsections for Temporary Leave, Emeritus Active, and Emeritus Inactive license statuses | All alternate license status provisions included under one section |
| | Licensees may only apply for alternate license status at time of license renewal | Licensees may apply for alternate license status at any time |
| | Repeal | Licensee may request variance to practice under alternate license status in case of emergency |
| | Emeritus Active license status increased to 500 hours of paid social work practice per year to provide licensing supervision, consultation, and present continuing education | Emeritus Active license status limited to 240 hours of paid social work practice per year to provide licensing supervision |

ADDITIONAL IMPROVEMENTS

- Address workforce shortage issues by increasing paid social work practice opportunities for Emeritus Active licensees
- Clarify how individuals with alternate license status must represent themselves to the public
- Reorganize subdivisions for clarity and readability
- Create operational efficiencies

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WHAT ARE KEY CHANGES TO CONTINUING EDUCATION?

| | NEW LAW EFFECTIVE AUGUST 1, 2020 | OUTGOING LAW EFFECTIVE UNTIL JULY 31, 2020 |
|--|--|--|
| | LICSWs must complete at least 12 clock hours in clinical content per 2-year renewal term | LICSWs must complete at least 24 CE clock hours in clinical content per 2-year renewal term |
| | Up to 50% of required CE hours may be completed via independent study per 2-year renewal term | Up to 15 hours of required CE hours may be completed via independent study per 2-year renewal term |
| | Add definitions of continuing education, clock hour, continuing education independent learning, and continuing education social work ethics to Minnesota Statutes section 148E.010; include cultural awareness and social diversity in definition of continuing education social work ethics | No definition of continuing education, clock hour, continuing education independent learning, or continuing education social work ethics included in Minnesota Statutes section 148E.010 |

ADDITIONAL IMPROVEMENTS

- Consolidate nine CE sections into two sections and reorganize sections and subdivisions for clarity and readability
- Increase opportunity for CE independent learning to reduce cost and improve access
- Clarify acceptable CE content and acceptable CE activities
- Clarify documentation required for CE audit
- Create operational efficiencies

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WHAT ARE KEY CHANGES TO BOARD MEMBER QUALIFICATIONS?

| | NEW LAW EFFECTIVE AUGUST 1, 2020 | OUTGOING LAW EFFECTIVE UNTIL JULY 31, 2020 |
|--|--|---|
| | Of 10 licensed social work members: 3 must be LSWs; 2 must be LICSWs; and 2 must be either LGSWs or LISWs | Of 10 licensed social work members: 5 must be LSWs; and other 5 must include LGSW, LISW, and at least 2 LICSWs |
| | Of 10 licensed social worker members must include 1 member in each of the 5 following practice settings: state or county, school, health care setting, private agency, CSWE accredited social work program | Of 10 licensed social worker members, must include 1 member in each of the 7 following practice settings: county, state, school, hospital or nursing home, private agency, CSWE accredited social work program; 2 members in a clinical setting |
| | At least 5 members must be a member of a community of color or an “underrepresented community” | At least 5 members must have expertise in communities of color |
| | Add “underrepresented community” definition to Minnesota Statute section 148E.010 | No definition of “underrepresented community” included in Minnesota Statutes section 148E.010 |

ADDITIONAL IMPROVEMENTS

- Respond to requests from Governor’s Office for less prescriptive license type and practice setting requirements
- Expand current qualification of “expertise in communities of color” to include “underrepresented community” to promote diversity and inclusivity
- Simplify complex license type and practice setting requirements which can prevent qualified people from serving

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WHY DID THE BOARD PROPOSE CHANGES?

- BOSW Strategic Plan identified “deep-dive” of statute as key priority to ensure relevant regulation
- 15 years since last comprehensive review of [Social Work Practice Act](#)

HOW DO THE CHANGES BENEFIT STAKEHOLDERS?

- Respond to workforce shortages and increase access to qualified providers
- Easier to understand, plain language, common sense regulation
- Eliminate obsolete, paper-dependent methods that cause processing delays
- Increase opportunity for CE independent learning to reduce cost and improve access

WHAT ARE THE NEXT STEPS FOR IMPLEMENTATION?

- We are working to update our website, informational materials and forms
- Watch for more detailed communications in the next months at the [Board’s website](#) and [subscribe to Licensing News & Updates](#) to stay informed via email
- Legislation & Rules Committee will continue its work to complete review of county licensing exemption, supervised practice, and standards of practice

WHAT ARE THE GOALS?

- ✓ Common sense and 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

HOW WERE STAKEHOLDERS INVOLVED?

- Appointed social work professional organization representatives from Board’s Advisory Committee to Legislation & Rules Committee
- Invited stakeholder public comment and provided easy and transparent access to data via website and email updates
- Support from legislators including Senator Benson, Senator Mathews, Representative Moran, Representative Morrison, and Representative Edelson
- Formal support from social work professional organizations, including:
 - MN Association of Home Care Social Workers
 - MN Conference on Social Work Education
 - MN Nursing Home Social Workers Association
 - MN School Social Workers Association
 - MN Society for Clinical Social Work
 - National Association of Social Workers–MN Chapter

PROTECTING
THE PUBLIC



WITH
SHARED
GOALS