

By the Committee on Health Policy; and Senator Baxley

588-03692A-19

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1 A bill to be entitled
2 An act relating to clinical social workers, marriage
3 and family therapists, and mental health counselors;
4 amending s. 491.003, F.S.; defining the terms
5 "certified master social worker" and "practice of
6 generalist social work"; amending s. 491.004, F.S.;
7 deleting an obsolete provision; amending s. 491.0145,
8 F.S.; requiring the Department of Health to certify an
9 applicant for designation as a certified master social
10 worker under certain circumstances; providing that
11 applicants for designation as a certified master
12 social worker submit their application to the
13 department; deleting a provision relating to an
14 application requirement; authorizing the department to
15 adopt rules; amending s. 491.0149, F.S.; requiring the
16 use of applicable professional titles by licensees,
17 certificate holders, provisional licensees, and
18 registrants on social media and other specified
19 materials; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:
22

23 Section 1. Present subsections (2) through (7) of section
24 491.003, Florida Statutes, are redesignated as subsections (3)
25 through (8), respectively, present subsections (8) through (17)
26 are redesignated as subsections (10) through (19), respectively,
27 and new subsections (2) and (9) are added to that section, to
28 read:

29 491.003 Definitions.—As used in this chapter:

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30 (2) "Certified master social worker" means a person
 31 certified by the department under this chapter to practice
 32 generalist social work.

33 (9) The term "practice of generalist social work" means the
 34 application of social work theory, knowledge, and methods and
 35 ethics to and the professional use of self to restore or enhance
 36 social, psychosocial, or biopsychosocial functioning of
 37 individuals, couples, families, groups, organizations, or
 38 communities. The term includes the application of specialized
 39 knowledge and advanced practice skills to nondiagnostic
 40 assessment, treatment planning, implementation and evaluation,
 41 case management, information and referral, supervision,
 42 consultation, education, research, advocacy, community
 43 organization and the development, implementation, and
 44 administration of policies, programs, and activities.

45 Section 2. Present subsections (4) through (7) of section
 46 491.004, Florida Statutes, are redesignated as subsections (3)
 47 through (6), respectively, and present subsection (3) is
 48 amended, to read:

49 491.004 Board of Clinical Social Work, Marriage and Family
 50 Therapy, and Mental Health Counseling.—

51 ~~(3) No later than January 1, 1988, the Governor shall~~
 52 ~~appoint nine members of the board as follows:~~

53 ~~(a) Three members for terms of 2 years each.~~

54 ~~(b) Three members for terms of 3 years each.~~

55 ~~(c) Three members for terms of 4 years each.~~

56 Section 3. Section 491.0145, Florida Statutes, is amended
 57 to read:

58 491.0145 Certified master social worker.—The department

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59 shall ~~may~~ certify an applicant for a designation as a certified
60 master social worker who, upon applying to the department and
61 remitting the appropriate fee, demonstrates to the department
62 that he or she has met all of the following conditions:

63 (1) The applicant has submitted ~~The applicant completes~~ an
64 application and has paid to be provided by the department and
65 ~~pays~~ a nonrefundable fee not to exceed \$250 to be established by
66 rule of the department. ~~The completed application must be~~
67 ~~received by the department at least 60 days before the date of~~
68 ~~the examination in order for the applicant to qualify to take~~
69 ~~the scheduled exam.~~

70 (2) The applicant submits proof satisfactory to the
71 department that the applicant has received a doctoral degree in
72 social work, or a master's degree in social work with a major
73 emphasis or specialty in ~~elinical practice or administration,~~
74 ~~including, but not limited to, agency administration and~~
75 supervision, program planning and evaluation, staff development,
76 research, community organization, community services, social
77 planning, or ~~and~~ human service advocacy. Doctoral degrees must
78 have been received from a graduate school of social work which
79 at the time the applicant was enrolled and graduated was
80 accredited by an accrediting agency approved by the United
81 States Department of Education. Master's degrees must have been
82 received from a graduate school of social work which at the time
83 the applicant was enrolled and graduated was accredited by the
84 Council on Social Work Education or the Canadian Association of
85 Schools for ~~of~~ Social Work Education or by one that meets
86 comparable standards.

87 (3) The applicant has had at least 2 ~~3~~ years' experience,

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88 as defined by rule, including, but not limited to, clinical
89 services or administrative activities as defined in subsection
90 (2), 2 years of which must be at the post-master's level under
91 the supervision of a person who meets the education and
92 experience requirements for certification as a certified master
93 social worker, as defined by rule, or licensure as a clinical
94 social worker under this chapter. A doctoral internship may be
95 applied toward the supervision requirement.

96 (4) Any person who holds a master's degree in social work
97 from institutions outside the United States may apply to the
98 department for certification if the academic training in social
99 work has been evaluated as equivalent to a degree from a school
100 accredited by the Council on Social Work Education. Any such
101 person shall submit a copy of the academic training from the
102 Foreign Equivalency Determination Service of the Council on
103 Social Work Education.

104 (5) The applicant has passed an examination required by the
105 department for this purpose. ~~The nonrefundable fee for such~~
106 ~~examination may not exceed \$250 as set by department rule.~~

107 (6) ~~Nothing in This chapter does not shall be construed to~~
108 authorize a certified master social worker to provide clinical
109 social work services.

110 (7) The department may adopt rules to implement this
111 section.

112 Section 4. Section 491.0149, Florida Statutes, is amended
113 to read:

114 491.0149 Display of license; use of professional title on
115 promotional materials.-

116 (1) (a) A person licensed under this chapter as a clinical

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117 social worker, marriage and family therapist, or mental health
118 counselor, or certified as a master social worker shall
119 conspicuously display the valid license or certificate issued by
120 the department or a true copy thereof at each location at which
121 the licensee practices his or her profession.

122 (b)1. A licensed clinical social worker shall include the
123 words "licensed clinical social worker" or the letters "LCSW" on
124 all promotional materials, including cards, brochures,
125 stationery, advertisements, social media, and signs, naming the
126 licensee.

127 2. A licensed marriage and family therapist shall include
128 the words "licensed marriage and family therapist" or the
129 letters "LMFT" on all promotional materials, including cards,
130 brochures, stationery, advertisements, social media, and signs,
131 naming the licensee.

132 3. A licensed mental health counselor shall include the
133 words "licensed mental health counselor" or the letters "LMHC"
134 on all promotional materials, including cards, brochures,
135 stationery, advertisements, social media, and signs, naming the
136 licensee.

137 (c) A generalist social worker shall include the words
138 "certified master social worker" or the letters "CMSW" on all
139 promotional materials, including cards, brochures, stationery,
140 advertisements, social media, and signs, naming the licensee.

141 (2) (a) A person registered under this chapter as a clinical
142 social worker intern, marriage and family therapist intern, or
143 mental health counselor intern shall conspicuously display the
144 valid registration issued by the department or a true copy
145 thereof at each location at which the registered intern is

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146 completing the experience requirements.

147 (b) A registered clinical social worker intern shall
148 include the words "registered clinical social worker intern," a
149 registered marriage and family therapist intern shall include
150 the words "registered marriage and family therapist intern," and
151 a registered mental health counselor intern shall include the
152 words "registered mental health counselor intern" on all
153 promotional materials, including cards, brochures, stationery,
154 advertisements, social media, and signs, naming the registered
155 intern.

156 (3) (a) A person provisionally licensed under this chapter
157 as a provisional clinical social worker licensee, provisional
158 marriage and family therapist licensee, or provisional mental
159 health counselor licensee shall conspicuously display the valid
160 provisional license issued by the department or a true copy
161 thereof at each location at which the provisional licensee is
162 providing services.

163 (b) A provisional clinical social worker licensee shall
164 include the words "provisional clinical social worker licensee,"
165 a provisional marriage and family therapist licensee shall
166 include the words "provisional marriage and family therapist
167 licensee," and a provisional mental health counselor licensee
168 shall include the words "provisional mental health counselor
169 licensee" on all promotional materials, including cards,
170 brochures, stationery, advertisements, social media, and signs,
171 naming the provisional licensee.

172 Section 5. This act shall take effect July 1, 2019.