

FIRST REGULAR SESSION

HOUSE BILL NO. 332

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PORTWOOD, HUNTER, RIBACK WILSON (25),
SHOEMYER (9), AVERY, JOHNSON (90), WALSH, FRASER, DONNELLY, JONES,
MUCKLER (Co-sponsors), DOUGHERTY, YAEGER, PAGE, FARES AND STEFANICK.

Read 1st time January 30, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1073L.011

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 clause.

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Section A. Sections 337.600 and 337.633, RSMo, are repealed and three new sections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
13 public for a fee, monetary or otherwise, implying that the person is trained, experienced, and

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 new proposed language.

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 earned a social work degree from an**
26 **accredited social work program approved by the council on social work education or that**
27 **holds a current state baccalaureate or clinical social work license as set forth in sections**
28 **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 a current state baccalaureate or clinical social work license as set**
3 **forth in sections 337.600 to 337.689 or possess an educational degree from an accredited**
4 **social work program approved by the council on social work education for a baccalaureate,**
5 **masters, doctorate, or Ph.D. in social work.**

6 **2. No government entities, public or private agencies or organizations in the state**
7 **shall use the title "social worker" or any form of the title for volunteer or employment**
8 **positions or within contracts for services, documents, manuals, or reference material**
9 **effective January 1, 2004, unless the individuals that are being referred to have met the**
10 **educational criteria set forth in subdivision (1) of section 337.600 or subsection 1 of section**
11 **337.604.**

337.633. 1. [Violation of any provision of sections 337.600 to 337.639 shall be a class
2 B misdemeanor.] **Any individual, government entities, public or private agency or**
3 **organization, who violates any provision of sections 337.600 to 337.689, except section**
4 **337.604, is guilty of a class B misdemeanor. Any individual, government entities, public**
5 **or private agency or organization who violates any provision of section 337.604 which shall**
6 **be regulated by the board who shall impose a fine of not less than one thousand dollars or**
7 **may seek any other course of action the board deems appropriate for the violation.**

8 2. All fees or other compensation received for services which are rendered in violation
9 of sections 337.600 to 337.639 shall be refunded.

10 3. The department on behalf of the committee may sue in its own name in any court in

11 this state. The department shall inquire as to any violations of sections 337.600 to 337.639, may
12 institute actions for penalties herein prescribed, and shall enforce generally the provisions of
13 sections 337.600 to 337.639.

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

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

21 (2) Engaging in any practice of business authorized by a certificate of registration or
22 authority, permit or license issued pursuant to sections 337.600 to 337.639 upon a showing that
23 the holder presents a substantial probability of serious harm to the health, safety or welfare of
24 any resident of this state or client or patient of the licensee.

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

28 6. Any action brought pursuant to this section may be in addition to or in lieu of any
29 penalty provided by this act and may be brought concurrently with other actions to enforce the
30 provisions of sections 337.600 to 337.639.