

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 326

95TH GENERAL ASSEMBLY

1254S.03T

2009

AN ACT

To repeal sections 337.600, 337.604, and 376.811, RSMo, and to enact in lieu thereof three new sections relating to licensed mental health professionals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 337.600, 337.604, and 376.811, RSMo, are repealed and three new
2 sections enacted in lieu thereof, to be known as sections 337.600, 337.604, and 376.811, to read
3 as follows:

337.600. As used in sections 337.600 to 337.689, the following terms mean:

2 (1) "Advanced macro social worker", the applications of social work theory, knowledge,
3 methods, principles, values, and ethics; and the professional use of self to community and
4 organizational systems, systemic and macrocosm issues, and other indirect nonclinical services;
5 specialized knowledge and advanced practice skills in case management, information and
6 referral, nonclinical assessments, counseling, outcome evaluation, mediation, nonclinical
7 supervision, nonclinical consultation, expert testimony, education, outcome evaluation, research,
8 advocacy, social planning and policy development, community organization, and the
9 development, implementation and administration of policies, programs, and activities. A
10 licensed advanced macro social worker may not treat mental or emotional disorders or provide
11 psychotherapy without the direct supervision of a licensed clinical social worker, or diagnose a
12 mental disorder;

13 (2) "Clinical social work", the application of social work theory, knowledge, values,
14 methods, principles, and techniques of case work, group work, client-centered advocacy,
15 **community organization**, administration, **planning, evaluation**, consultation, research,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 psychotherapy and counseling methods and techniques to persons, families and groups in
17 assessment, diagnosis, treatment, prevention and amelioration of mental and emotional
18 conditions;

19 (3) "Committee", the state committee for social workers established in section 337.622;

20 (4) "Department", the Missouri department of insurance, financial institutions and
21 professional registration;

22 (5) "Director", the director of the division of professional registration;

23 (6) "Division", the division of professional registration;

24 (7) "Independent practice", any practice of social workers outside of an organized setting
25 such as a social, medical, or governmental agency in which a social worker assumes
26 responsibility and accountability for services required;

27 (8) "Licensed advanced macro social worker", any person who offers to render services
28 to individuals, groups, families, couples, organizations, institutions, communities, government
29 agencies, corporations, or the general public for a fee, monetary or otherwise, implying that the
30 person is trained, experienced, and licensed as an advanced macro social worker, and who holds
31 a current valid license to practice as an advanced macro social worker;

32 (9) "Licensed baccalaureate social worker", any person who offers to render services to
33 individuals, groups, organizations, institutions, corporations, government agencies, or the general
34 public for a fee, monetary or otherwise, implying that the person is trained, experienced, and
35 licensed as a baccalaureate social worker, and who holds a current valid license to practice as a
36 baccalaureate social worker;

37 (10) "Licensed clinical social worker", any person who offers to render services to
38 individuals, groups, organizations, institutions, corporations, government agencies, or the general
39 public for a fee, monetary or otherwise, implying that the person is trained, experienced, and
40 licensed as a clinical social worker, and who holds a current, valid license to practice as a clinical
41 social worker;

42 (11) "Licensed master social worker", any person who offers to render services to
43 individuals, groups, families, couples, organizations, institutions, communities, government
44 agencies, corporations, or the general public for a fee, monetary or otherwise, implying that the
45 person is trained, experienced, and licensed as a master social worker, and who holds a current
46 valid license to practice as a master social worker. A licensed master social worker may not treat
47 mental or emotional disorders, provide psychotherapy without the direct supervision of a
48 licensed clinical social worker, or diagnose a mental disorder;

49 (12) "Master social work", the application of social work theory, knowledge, methods,
50 and ethics and the professional use of self to restore or enhance social, psychosocial, or
51 biopsychosocial functioning of individuals, couples, families, groups, organizations,

52 communities, institutions, government agencies, or corporations. The practice includes the
53 applications of specialized knowledge and advanced practice skills in the areas of assessment,
54 treatment planning, implementation and evaluation, case management, mediation, information
55 and referral, counseling, client education, supervision, consultation, education, research,
56 advocacy, community organization and development, planning, evaluation, implementation and
57 administration of policies, programs, and activities. Under supervision as provided in this
58 section, the practice of master social work may include the practices reserved to clinical social
59 workers or advanced macro social workers;

60 (13) "Practice of advanced macro social work", rendering, offering to render, or
61 supervising those who render to individuals, couples, families, groups, organizations,
62 institutions, corporations, government agencies, communities, or the general public any service
63 involving the application of methods, principles, and techniques of advanced practice macro
64 social work;

65 (14) "Practice of baccalaureate social work", rendering, offering to render, or supervising
66 those who render to individuals, families, groups, organizations, institutions, corporations, or the
67 general public any service involving the application of methods, principles, and techniques of
68 baccalaureate social work;

69 (15) "Practice of clinical social work", rendering, offering to render, or supervising those
70 who render to individuals, couples, groups, organizations, institutions, corporations, or the
71 general public any service involving the application of methods, principles, and techniques of
72 clinical social work;

73 (16) "Practice of master social work", rendering, offering to render, or supervising those
74 who render to individuals, couples, families, groups, organizations, institutions, corporations,
75 government agencies, communities, or the general public any service involving the application
76 of methods, principles, and techniques of master social work;

77 (17) "Provisional licensed clinical social worker", any person who is a graduate of an
78 accredited school of social work and meets all requirements of a licensed clinical social worker,
79 other than the supervised clinical social work experience prescribed by subdivision (2) of
80 subsection 1 of section 337.615, and who is supervised by a person who is qualified to practice
81 clinical social work, as defined by rule;

82 (18) "Qualified advanced macro supervisor", any licensed social worker who meets the
83 qualifications of a qualified clinical supervisor or a licensed advanced macro social worker who
84 has:

85 (a) Practiced in the field for which he or she is supervising the applicant for a minimum
86 uninterrupted period of five years;

87 (b) Successfully completed a minimum of sixteen hours of supervisory training from the
88 Association of Social Work Boards, the National Association of Social Workers, an accredited
89 university, or a program approved by the state committee for social workers. All organizations
90 providing the supervisory training shall adhere to the basic content and quality standards outlined
91 by the state committee on social work; and

92 (c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by
93 the state committee for social workers;

94 (19) "Qualified baccalaureate supervisor", any licensed social worker who meets the
95 qualifications of a qualified clinical supervisor, qualified master supervisor, qualified advanced
96 macro supervisor, or a licensed baccalaureate social worker who has:

97 (a) Practiced in the field for which he or she is supervising the applicant for a minimum
98 uninterrupted period of five years;

99 (b) Successfully completed a minimum of sixteen hours of supervisory training from the
100 Association of Social Work Boards, the National Association of Social Workers, an accredited
101 university, or a program approved by the state committee for social workers. All organizations
102 providing the supervisory training shall adhere to the basic content and quality standards outlined
103 by the state committee on social workers; and

104 (c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by
105 the state committee for social workers;

106 (20) "Qualified clinical supervisor", any licensed clinical social worker who has:

107 (a) Practiced in the field for which he or she is supervising the applicant uninterrupted
108 since August 28, 2004, or a minimum of five years;

109 (b) Successfully completed a minimum of sixteen hours of supervisory training from the
110 Association of Social Work Boards, the National Association of Social Workers, an accredited
111 university, or a program approved by the state committee for social workers. All organizations
112 providing the supervisory training shall adhere to the basic content and quality standards outlined
113 by the state committee on social work; and

114 (c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by
115 the state committee for social workers;

116 (21) "Social worker", any individual that has:

117 (a) Received a baccalaureate or master's degree in social work from an accredited social
118 work program approved by the council on social work education;

119 (b) Received a doctorate or Ph.D. in social work; or

120 (c) A current social worker license as set forth in sections 337.600 to 337.689.

337.604. 1. No person shall hold himself or herself out to be a social worker unless such
2 person has:

3 (1) Received a baccalaureate or master's degree in social work from an accredited social
4 work program approved by the council on social work education;

5 (2) Received a doctorate or Ph.D. in social work; or

6 (3) A current social worker license as set forth in sections 337.600 to 337.689.

7 2. No government entities, public or private agencies or organizations in the state shall
8 use the title "social worker" or any form of the title, **including but not limited to the**
9 **abbreviations "SW", "BSW", "MSW", "DSW", "LBSW", "LBSW-IP", "LMSW",**
10 **"PLCSW", "LCSW", "CSW", "LAMSW", and "AMSW",** for volunteer or employment
11 positions or within contracts for services, documents, manuals, or reference material effective
12 January 1, 2004, unless the volunteers or employees in those positions meet the criteria set forth
13 in [subdivision (17) of section 337.600 or subsection 1 of this section] **this chapter.**

376.811. 1. Every insurance company and health services corporation doing business
2 in this state shall offer in all health insurance policies benefits or coverage for chemical
3 dependency meeting the following minimum standards:

4 (1) Coverage for outpatient treatment through a nonresidential treatment program, or
5 through partial- or full-day program services, of not less than twenty-six days per policy benefit
6 period;

7 (2) Coverage for residential treatment program of not less than twenty-one days per
8 policy benefit period;

9 (3) Coverage for medical or social setting detoxification of not less than six days per
10 policy benefit period;

11 (4) The coverages set forth in this subsection may be subject to a separate lifetime
12 frequency cap of not less than ten episodes of treatment, except that such separate lifetime
13 frequency cap shall not apply to medical detoxification in a life-threatening situation as
14 determined by the treating physician and subsequently documented within forty-eight hours of
15 treatment to the reasonable satisfaction of the insurance company or health services corporation;
16 and

17 (5) The coverages set forth in this subsection:

18 (a) Shall be subject to the same coinsurance, co-payment and deductible factors as apply
19 to physical illness;

20 (b) May be administered pursuant to a managed care program established by the
21 insurance company or health services corporation; and

22 (c) May deliver covered services through a system of contractual arrangements with one
23 or more providers, hospitals, nonresidential or residential treatment programs, or other mental
24 health service delivery entities certified by the department of mental health, or accredited by a
25 nationally recognized organization, or licensed by the state of Missouri.

26 2. In addition to the coverages set forth in subsection 1 of this section, every insurance
27 company, health services corporation and health maintenance organization doing business in this
28 state shall offer in all health insurance policies, benefits or coverages for recognized mental
29 illness, excluding chemical dependency, meeting the following minimum standards:

30 (1) Coverage for outpatient treatment, including treatment through partial- or full-day
31 program services, for mental health services for a recognized mental illness rendered by a
32 licensed professional to the same extent as any other illness;

33 (2) Coverage for residential treatment programs for the therapeutic care and treatment
34 of a recognized mental illness when prescribed by a licensed professional and rendered in a
35 psychiatric residential treatment center licensed by the department of mental health or accredited
36 by the Joint Commission on Accreditation of Hospitals to the same extent as any other illness;

37 (3) Coverage for inpatient hospital treatment for a recognized mental illness to the same
38 extent as for any other illness, not to exceed ninety days per year;

39 (4) The coverages set forth in this subsection shall be subject to the same coinsurance,
40 co-payment, deductible, annual maximum and lifetime maximum factors as apply to physical
41 illness; and

42 (5) The coverages set forth in this subsection may be administered pursuant to a
43 managed care program established by the insurance company, health services corporation or
44 health maintenance organization, and covered services may be delivered through a system of
45 contractual arrangements with one or more providers, community mental health centers,
46 hospitals, nonresidential or residential treatment programs, or other mental health service
47 delivery entities certified by the department of mental health, or accredited by a nationally
48 recognized organization, or licensed by the state of Missouri.

49 3. The offer required by sections 376.810 to 376.814 may be accepted or rejected by the
50 group or individual policyholder or contract holder and, if accepted, shall fully and completely
51 satisfy and substitute for the coverage under section 376.779. Nothing in sections 376.810 to
52 376.814 shall prohibit an insurance company, health services corporation or health maintenance
53 organization from including all or part of the coverages set forth in sections 376.810 to 376.814
54 as standard coverage in their policies or contracts issued in this state.

55 4. Every insurance company, health services corporation and health maintenance
56 organization doing business in this state shall offer in all health insurance policies mental health
57 benefits or coverage as part of the policy or as a supplement to the policy. Such mental health
58 benefits or coverage shall include at least two sessions per year to a licensed psychiatrist,
59 licensed psychologist, licensed professional counselor, [or] licensed clinical social worker, **or,**
60 **subject to contractual provisions, a licensed marital and family therapist,** acting within the
61 scope of such license and under the following minimum standards:

62 (1) Coverage and benefits in this subsection shall be for the purpose of diagnosis or
63 assessment, but not dependent upon findings; and

64 (2) Coverage and benefits in this subsection shall not be subject to any conditions of
65 preapproval, and shall be deemed reimbursable as long as the provisions of this subsection are
66 satisfied; and

67 (3) Coverage and benefits in this subsection shall be subject to the same coinsurance,
68 co-payment and deductible factors as apply to regular office visits under coverages and benefits
69 for physical illness.

70 5. If the group or individual policyholder or contract holder rejects the offer required by
71 this section, then the coverage shall be governed by the mental health and chemical dependency
72 insurance act as provided in sections 376.825 to 376.836.

73 6. This section shall not apply to a supplemental insurance policy, including a life care
74 contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily
75 benefit only, Medicare supplement policy, long-term care policy, hospitalization-surgical care
76 policy, short-term major medical policy of six months or less duration, or any other supplemental
77 policy as determined by the director of the department of insurance, financial institutions and
78 professional registration.

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