

CHAPTER 44G

STATE BOARD OF SOCIAL WORK EXAMINERS

Authority

N.J.S.A. 45:15BB-11.

Source and Effective Date

R.2008 d.311, effective September 18, 2008.
See: 40 N.J.R. 2211(a), 40 N.J.R. 6209(b).

Chapter Expiration Date

Chapter 44G, State Board of Social Work Examiners, expires on September 18, 2013.

Chapter Historical Note

Chapter 44G, State Board of Social Work Examiners, consisting of Subchapter 14, Fees, was adopted as R.1993 d.23, effective January 4, 1993. See: 24 N.J.R. 2523(a), 25 N.J.R. 191(a). Subchapters 1 through 5, 7 and 8 were adopted as R.1994 d.189, effective April 4, 1994. See: 25 N.J.R. 3081(a), 26 N.J.R. 1524(a). Subchapters 9 through 12 were adopted as R.1996 d.19, effective January 2, 1996. See: 27 N.J.R. 1755(a), 28 N.J.R. 189(a). Subchapter 6, Continuing Education, was adopted as R.1997 d.167, effective April 7, 1997. See: 28 N.J.R. 4733(a), 29 N.J.R. 1342(a).

Pursuant to Executive Order No. 66(1978), Chapter 44G, State Board of Social Work Examiners, was readopted as R.1998 d.66, effective December 23, 1997. Subchapter 5, Licensure Without Examination; Certification Without Proof of Educational Criteria; Endorsement, was repealed, as R.1998, d.66, effective January 20, 1998. See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

Chapter 44G, State Board of Social Work Examiners, was readopted as R.2003 d.265, effective June 10, 2003. See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

Chapter 44G, State Board of Social Work Examiners, was readopted as R.2008 d.311, effective September 18, 2008. See: Source and Effective Date. See, also, section annotations.

Subchapter 13, Custody/Parenting Time Evaluations, was adopted as new rules by R.2009 d.176, effective May 18, 2009. See: 40 N.J.R. 6388(a), 41 N.J.R. 2136(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS

- 13:44G-1.1 Purpose and scope
- 13:44G-1.2 Definitions
- 13:44G-1.3 Persons requiring licensure; persons requiring certification

SUBCHAPTER 2. AGENCY ORGANIZATION AND ADMINISTRATION

- 13:44G-2.1 Description of the Board
- 13:44G-2.2 Office location and mailing address

SUBCHAPTER 3. AUTHORIZED PRACTICE

- 13:44G-3.1 Practice as an LCSW; scope
- 13:44G-3.2 Practice as an LSW; scope
- 13:44G-3.3 Practice as a CSW; scope

SUBCHAPTER 4. APPLICANT QUALIFICATIONS; BOARD-APPROVED EXAMINATION; ENDORSEMENT

- 13:44G-4.1 Eligibility requirements; LCSW
- 13:44G-4.2 Eligibility requirements; LSW

- 13:44G-4.3 Eligibility requirements; CSW
- 13:44G-4.4 Refusal to issue, suspension or revocation of license or certification
- 13:44G-4.5 Endorsement

SUBCHAPTER 5. (RESERVED)

SUBCHAPTER 6. CONTINUING EDUCATION

- 13:44G-6.1 License and certification renewal and continuing education requirement
- 13:44G-6.2 Credit-hour requirements
- 13:44G-6.3 Content areas for continuing education credit
- 13:44G-6.4 Sources of continuing education credits and credit-hour calculations
- 13:44G-6.5 Documentation of continuing education credit
- 13:44G-6.6 Waiver of continuing education requirements
- 13:44G-6.7 Responsibilities of continuing education sponsors

SUBCHAPTER 7. LICENSE AND CERTIFICATION RENEWALS

- 13:44G-7.1 Biennial license and certification renewal; inactive status
- 13:44G-7.2 Return from inactive status
- 13:44G-7.3 Reinstatement of suspended license

SUBCHAPTER 8. CLINICAL SUPERVISION

- 13:44G-8.1 Clinical supervision

SUBCHAPTER 9. GENERAL OBLIGATIONS OF LICENSEES AND CERTIFICATE HOLDERS; UNLICENSED PRACTICE

- 13:44G-9.1 Notification of change of address; service of process; notice of disciplinary action in another jurisdiction
- 13:44G-9.2 Notification of change of name
- 13:44G-9.3 Unlicensed practice of social work

SUBCHAPTER 10. BUSINESS PRACTICES; PROFESSIONAL CONDUCT

- 13:44G-10.1 Display of notice of licensure or certification; notification of availability of fee information
- 13:44G-10.2 Financial arrangements with clients
- 13:44G-10.3 LCSW; financial arrangements with clients
- 13:44G-10.4 Conflicts of interest
- 13:44G-10.5 Professional interaction with clients
- 13:44G-10.6 Termination of services
- 13:44G-10.7 Sexual misconduct, harassment; discrimination
- 13:44G-10.8 Reporting of violations by other licensees
- 13:44G-10.9 Prohibition on solicitation; unethical referrals and kickbacks
- 13:44G-10.10 Prohibition on excessive fees
- 13:44G-10.11 Treatment of minors

SUBCHAPTER 11. ADVERTISING

- 13:44G-11.1 Definitions
- 13:44G-11.2 Advertising; general requirements
- 13:44G-11.3 Minimum content
- 13:44G-11.4 Use of professional credentials and certifications
- 13:44G-11.5 Advertisements regarding fees; required disclosures
- 13:44G-11.6 Prohibited types or method or methods of advertising
- 13:44G-11.7 Use of testimonials
- 13:44G-11.8 Retention of advertisements

SUBCHAPTER 12. CLIENT RECORDS; CONFIDENTIALITY

- 13:44G-12.1 Preparation and maintenance of client records
- 13:44G-12.2 Use of computer to prepare client records

- 13:44G-12.3 Confidentiality
13:44G-12.4 Release of client record

SUBCHAPTER 13. CUSTODY/PARENTING TIME EVALUATIONS

- 13:44G-13.1 Purpose and scope; definitions
13:44G-13.2 Competency
13:44G-13.3 Dual relationships
13:44G-13.4 Communications
13:44G-13.5 Informed consent
13:44G-13.6 Fees
13:44G-13.7 Reports and recommendations

SUBCHAPTER 14. FEES

- 13:44G-14.1 Fees

SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS

13:44G-1.1 Purpose and scope

(a) The rules contained in this chapter implement the provisions of the Social Workers' Licensing Act of 1991, P.L. 1991, c. 134, and regulate the profession of social work within the State of New Jersey.

(b) This chapter shall apply to any individual licensed or certified by the State Board of Social Work Examiners, regardless of the setting where the individual is working.

(c) This chapter shall not apply to those individuals exempt from the provisions of the Act pursuant to N.J.S.A. 45:15BB-5.

Amended by R.1998 d.66, effective January 20, 1998.
See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).
Rewrote (b) and (c).

13:44G-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“ASWB” means Association of Social Work Boards.

“Clinical social work” means the professional application of social work methods and values in the assessment and psychotherapeutic counseling of individuals, families, or groups.

“Clinical social work services” means social work services which may be performed only by a LCSW or a LSW under supervision pursuant to N.J.A.C. 13:44G-8. Clinical social work services include, but are not limited to, the following:

1. Clinical assessment, defined as the process of evaluation in which a LCSW or a LSW conducts a differential, individualized and accurate identification of the psychosocial/behavioral problems existing in the life of the individual client, the family or group for the purpose of es-

tablishing a plan to implement a course of psychotherapeutic counseling. A clinical social work assessment includes, but is not limited to, a mental status examination and a psychosocial history. The clinical social worker may utilize currently accepted diagnostic classifications including, but not limited to, the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, as amended and supplemented.

2. Clinical consultation, defined as ongoing case discussion and evaluation focusing on, but not limited to, clinical social work data, clinical goals and treatment plans for the implementation of psychotherapeutic counseling with individuals, groups and families. Clinical consultation may also include intervention with appropriate individuals and entities;

3. Psychotherapeutic counseling, defined as ongoing interaction between a social worker and an individual, family or group for the purpose of helping to resolve symptoms of mental disorder, psychosocial stress, relationship problems or difficulties in coping with the social environment;

4. Client centered advocacy, defined as the service in which, as part of the psychotherapeutic process, the social worker functions on behalf of individuals, families or groups to bring about or influence change to improve the quality of life, enhance empowerment and assure the basic rights of the client; and

5. Clinical supervision of individuals pursuant to the standards set forth in N.J.A.C. 13:44G-8.1.

“CSW” means certified social worker.

“LCSW” means licensed clinical social worker.

“LSW” means licensed social worker.

“Social work” means the activity directed at enhancing, protecting or restoring a person's capacity for social functioning, whether impaired by physical, environmental, or emotional factors.

“Social work services” means concrete, non-clinical services, which may be performed only by a Board licensee or certificate holder. Social work services include, but are not limited to, the following:

1. “Social work assessment,” defined as identifying problems and gathering sufficient information to make referrals and to determine and implement a plan of social care and action;

2. “Social work counseling,” defined as the professional application of social work methods and values in advising and providing guidance to individuals, families or groups for the purpose of enhancing, protecting or restoring the capacity for coping with the social environment, exclusive of the practice of psychotherapy and includes