

**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 Subchapter 5, Licensure Without Examination; Certification Without Proof of Educational Criteria; Endorsement, was repealed, as R.1998, d.66, effective January 20, 1998.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.

**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 a LCSW; scope
- 13:44G-3.2 Practice as a 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

**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. (RESERVED)

## 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 establishing 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 giving advice, delineating alternatives, helping to articulate goals and providing needed information.

3. “Social work consultation,” defined as discussion and evaluation focusing on data, goals and objectives, including intervention with individuals, agencies, businesses, organizations, groups and communities for purposes of problem solving;

4. "Social work planning," defined as specifying future objectives, evaluating the means for achieving them, including identifying appropriate resources, and making deliberate choices about appropriate courses of action in order to enhance social well-being;

5. "Social work community organization," defined as the process of social interaction and the method of social work concerned with meeting broad needs and bringing about and maintaining adjustment between needs and resources in a community or other areas; helping people to deal more effectively with their problems and objectives by helping them develop, strengthen and maintain qualities of participation, self-direction and cooperation; and bringing about changes in community and group relationships and in the distribution of decision-making power. The community which is the primary client may be an organization, neighborhood, city, county, state or national entity;

6. "Social work policy," defined as the practice concerned primarily with translating laws, technical knowledge and administrative rulings into organizational goals and operational policies to guide organizational behavior; designing organizational structure and procedures or processes through which social work goals can be achieved; securing resources in the form of material, staff and clients; and obtaining the public support necessary for attaining social work goals;

7. "Social work administration," defined as applying specialized social work knowledge, skills and techniques to the coordinated totality of activities in a social welfare organization in order to transform policies into services; also, a method of practice by which the social worker plans, assigns, coordinates, evaluates and mediates the interdependent tasks, functions, personnel, and activities that are called upon to achieve the mission of the organization;

8. "Social work research," defined as the formal organization and the methodology of data collection and the analysis and evaluation of data; and

9. "Social work client-centered advocacy," defined as the service in which the social worker functions on behalf of individual clients, groups, or other entities including, but not limited to, social work and governmental agencies, and specific issues related to those organizations. The purpose of client centered advocacy is to bring about or influence change to improve the quality of life, enhance empowerment and assure the basic rights of the entity or individual being served by the social worker.

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

In "Social work services", inserted new 2, "Social work counseling", and recodified former 2 through 8 as 3 through 9.

Amended by R.2003 d.265, effective July 7, 2003.

See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

Inserted "ASWB", "CSW", "LCSW" and "LSW".

Amended by R.2008 d.311, effective October 20, 2008.

See: 40 N.J.R. 2211(a), 40 N.J.R. 6209(b).

In the introductory paragraph of definition "Social work services", substituted "concrete, non-clinical services," for the first instance of "services".

### 13:44G-1.3 Persons requiring licensure; persons requiring certification

Unless exempted from licensure or certification pursuant to N.J.S.A. 45:15BB-5, a person whose activities are within the scope of practice of N.J.A.C. 13:44G-3.1 is required to be licensed as a clinical social worker; a person whose activities are within the scope of practice of N.J.A.C. 13:44G-3.2 is required to be licensed as a social worker; and a person whose activities are within the scope of practice of N.J.A.C. 13:44G-3.3 is required to be certified as a social worker.

---

## SUBCHAPTER 2. AGENCY ORGANIZATION AND ADMINISTRATION

### 13:44G-2.1 Description of the Board

The State Board of Social Work Examiners, created in the Division of Consumer Affairs, Department of Law and Public Safety, is constituted under N.J.S.A. 45:15BB-1 et seq.

Amended by R.2003 d.265, effective July 7, 2003.

See: 35 N.J.R. 380(a), 35 N.J.R. 2936(a).

Rewrote the section.

### 13:44G-2.2 Office location and mailing address

The offices of the Board are located at 124 Halsey Street, Newark, New Jersey 07102. The mailing address of the Board is Post Office Box 45033, Newark, New Jersey 07101.

---

## SUBCHAPTER 3. AUTHORIZED PRACTICE

### 13:44G-3.1 Practice as a LCSW; scope

(a) The scope of practice of a LCSW includes, but is not limited to:

1. Clinical social work services. Clinical social work services include, but are not limited to, clinical assessment, clinical consultation, psychotherapeutic counseling, client centered advocacy, and clinical supervision of individuals pursuant to the standards set forth in N.J.A.C. 13:44G-8.1. These terms are more specifically defined in N.J.A.C. 13:44G-1.2; and

2. Social work services. Social work services include, but are not limited to, social work assessment, social work consultation, social work counseling, social work planning, social work community organization, social work policy, social work administration, social work research, and social work client-centered advocacy. These terms are more specifically defined in N.J.A.C. 13:44G-1.2.

Amended by R.1998 d.66, effective January 20, 1998.

See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

In (a)2, inserted a reference to social work counseling.

Amended by R.2003 d.265, effective July 7, 2003.

See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

In (a), substituted "LCSW" for "licensed clinical social worker" in the introductory paragraph.

### 13:44G-3.2 Practice as a LSW; scope

(a) The scope of practice of a LSW includes, but is not limited to:

1. Social work services. Social work services include, but are not limited to, social work assessment, social work counseling, social work consultation, social work planning, social work community organization, social work policy, social work administration, social work research, and social work client-centered advocacy. These terms are more specifically defined in N.J.A.C. 13:44G-1.2; and

2. Clinical social work services, under the supervision of a LCSW or other supervisor acceptable to the Board pursuant to the clinical supervision standards set forth in N.J.A.C. 13:44G-8.1. Clinical social work services include, but are not limited to, clinical assessment, clinical consultation, psychotherapeutic counseling and client centered advocacy. A LSW may not, however, provide clinical supervision. These terms are more specifically defined in N.J.A.C. 13:44G-1.2.

Amended by R.1998 d.66, effective January 20, 1998.

See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

In (a)1, inserted a reference to social work counseling; and in (a)2, inserted a reference to other supervisors, and deleted former i and ii.

Amended by R.2003 d.265, effective July 7, 2003.

See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

Substituted "LSW" for "licensed social worker" throughout, substituted "LCSW" for "licensed clinical social worker" throughout.

### 13:44G-3.3 Practice as a CSW; scope

(a) The scope of practice of a CSW includes, but is not limited to, social work services. Social work services include, but are not limited to, social work assessment, social work consultation, social work counseling, social work planning, social work community organization, social work policy, social work administration, social work research, and social work client-centered advocacy. These terms are more specifically defined in N.J.A.C. 13:44G-1.2.

(b) A CSW shall not engage in clinical social work services.

Amended by R.1998 d.66, effective January 20, 1998.

See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

In (a), inserted a reference to social work counseling.

Amended by R.2003 d.265, effective July 7, 2003.

See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

Substituted "CSW" for "certified social worker" throughout.

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

### 13:44G-4.1 Eligibility requirements; LCSW

(a) For purposes of this section, "two years of full-time clinical social work" means 1,920 hours of face-to-face client contact within any three consecutive year period subsequent to earning a master's degree in social work under direct supervision pursuant to the standards set forth in N.J.A.C. 13:44G-8.1.

(b) An applicant for licensure as an LCSW shall submit the following, on forms provided by the Board.

1. A completed application form, which requests information concerning the applicant's educational and experiential background;

2. The application fee set forth in N.J.A.C. 13:44G-14.1;

3. An official transcript indicating that the applicant:

i. Received a master's degree in social work from an educational program accredited, or in candidacy for accreditation, by the Council on Social Work Education; or a doctorate degree in social work from an accredited institution of higher education;

ii. Completed 12 semester hours of graduate level course work in methods of clinical social work practice, exclusive of field placement, from an educational program accredited, or in candidacy for accreditation, by the Council on Social Work Education. The applicant shall obtain 12 credits in any of the following areas of study:

(1) Human behavior and the social environment;

(2) Diagnosis and assessment in social work practice;

(3) Models of psychotherapy or clinical practice (for example, psychodynamic, behavioral, cognitive therapies, task-centered, psychosocial, crisis intervention approaches, etc.);

(4) Clinical supervision and consultation; and/or

(5) Intervention with special populations;

4. A supervisor's certification indicating that the applicant has acquired two years of satisfactory full-time clinical social work experience under supervision within a period of not less than two, and not more than three consecutive years. In the event that the applicant is unable to provide a supervisor's certification, the applicant shall submit to the Board an affidavit explaining the reason(s) why the applicant is not able to obtain the supervisor's certification;

**13:44G-10.8 Reporting of violations by other licensees**

(a) A social worker shall promptly notify the Board when in possession of information which reasonably indicates that another licensee or certificate holder has demonstrated an impairment, gross incompetence or unprofessional conduct which would present an imminent danger to a client or to the public health, safety or welfare.

1. When the information is obtained in the course of a professional or consulting relationship with a client, and the client is unwilling or unable to make the report, the social worker shall report the information only with the written permission of the client.

2. When the information is obtained in the course of treating a client-social worker, the treating social worker shall not be obligated to notify the Board if:

i. The treating social worker reasonably believes that the improper conduct has ceased and that the treatment is preventing a recurrence of the impairment, incompetence or professional misconduct; or

ii. The treating social worker has reasonable cause to believe that the client-social worker is currently receiving professional supervision and pursuing education to correct the deficiency.

**13:44G-10.9 Prohibition on solicitation; unethical referrals and kickbacks**

(a) A social worker who provides services to an agency shall not solicit, for his or her private practice, the agency's clients for the same services the agency provides. Nothing in this section prohibits a social worker from offering to the client all appropriate options upon termination of services at the agency, including the continuation of services in private practice.

(b) A social worker shall not refer a client to a service in which the social worker or his or her immediate family has a financial interest, as defined in the Health Care Cost Reduction Act, N.J.S.A. 45:9-22.4 et seq., including an equity or ownership interest in a practice or in a commercial entity holding itself out as offering a health care service.

(c) A social worker shall not prescribe goods or devices which the social worker sells or leases to the client unless the social worker advises the client of the ownership or other interest in the goods or devices.

(d) A social worker shall not pay, offer to pay or receive any fee or other form of compensation for referral of a client for professional services or for the purchase of goods.

(e) A social worker shall not permit the division of fees for professional services unless the social worker is engaged in a bona fide partnership or professional service corporation or employment relationship.

**13:44G-10.10 Prohibition on excessive fees**

(a) A social worker shall not charge an excessive fee for services. Factors which the Board may consider in determining whether a fee is excessive include, but are not limited to, the following:

1. The time or effort required to perform the service or treatment;

2. The skill required to properly perform the service or treatment;

3. The nature and length of the professional relationship with the client;

4. The experience, reputation and ability of the social worker performing the services;

5. The nature and circumstances under which services are provided; and

6. Whether the fee was set by an institution or agency.

**SUBCHAPTER 11. ADVERTISING****13:44G-11.1 Definitions**

For purposes of this subchapter, the following terms shall have the indicated meanings unless the context clearly indicates otherwise:

"Advertisement" means an attempt, directly or indirectly by publication, dissemination or circulation in print, electronic or other media, to induce any person or entity to purchase or enter into an agreement to purchase social work services, treatment or goods related thereto.

"Certified" or "certifications" means that a social worker shall have fulfilled all requirements of the agency granting certification and shall have earned a certificate upon satisfactory completion of a program directly related to social work.

"Diplomate" means that a social worker shall have satisfactorily completed a program approved by the American Board of Examiners in Clinical Social Work or shall have had diplomate status conferred by the National Association of Social Workers.

"Electronic media" include, but are not limited to, radio, television, telephone and other electronic means of communication.

"Print media" include, but are not limited to, business cards, newspapers, magazines, periodicals, professional journals, telephone directories, circular, handbills, flyers, billboards, signs, direct mail, matchcovers and other items disseminated by means of the printed word.

“Range of fees” means a statement of fees containing an upper and lower limit on the fees charged for services or goods offered by a social worker.

Amended by R.1998 d.66, effective January 20, 1998.

See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

In “Electronic media” deleted a second sentence; in “Print media” deleted a second sentence; and deleted “Professional service”.

### 13:44G-11.2 Advertising; general requirements

(a) A social worker shall be able to substantiate the truthfulness of any material, objective assertion or representation set forth in an advertisement.

(b) A social worker who is a principal, partner or officer of a firm or entity identified in an advertisement as offering social work services or goods shall be responsible for the form and content of any advertisement disseminated by or on behalf of a social worker affiliated with the firm.

(c) A social worker shall assure that an advertisement does not misrepresent, suppress, omit or conceal a material fact. Omission, suppression or concealment of a material fact includes directly or indirectly obscuring a material fact under circumstances where the social worker knows or should know that the omission is improper or prohibits a prospective client from making a full and informed judgment on the basis of the information set forth in the advertisement.

Amended by R.1998 d.66, effective January 20, 1998.

See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

In (a), deleted “, when requested by the Board to do so” at the end.

### 13:44G-11.3 Minimum content

(a) A social worker shall include the following in all advertisements and professional representations (other than an office entry sign), including advertisements in a classified directory, business cards and professional stationery:

1. Name, identification of licensure or certification status; and
2. Street address and telephone number of the practice location.

(b) A social worker may petition the Board for waiver of the requirement to list street address for good cause. A social worker shall submit a request for a waiver in writing which shall detail the reason(s) for the request which may include, but is not limited to, the maintenance of personal or client safety.

### 13:44G-11.4 Use of professional credentials and certifications

(a) A social worker shall accurately and objectively represent his or her competence, education, training, experience and diplomate status, as held at the time of the representation.

(b) An advertisement that includes information on professional credentials shall contain the highest academic degrees attained related to the practice of social work and shall refer only to degrees obtained from accredited academic institutions.

(c) An advertisement that includes information on social work certification or diplomate status shall include the full name of the agency conferring the certification or diplomate or the recognized name or abbreviation of the certification or diplomate.

(d) In addition to the information required to appear pursuant to N.J.A.C. 13:44G-11.3, letters or abbreviations that may appear immediately adjacent to the social worker's name shall be limited to those representing the following:

1. The highest academic degrees earned related to the practice of social work;
2. Current social work certifications or diplomate status as defined in N.J.A.C. 13:44G-11.1; and
3. Other licenses or certifications issued by another state or Federal agency.

(e) Letters or abbreviations appearing immediately adjacent to the social worker's name shall appear in the following order only: highest academic degrees earned related to the practice of social work; licensure or certification; social work certifications or diplomate status. For example, MSW, LCSW, BCD.

(f) Nothing in this section shall preclude any truthful and non-deceptive statement in regard to education or experience in a particular area of social work.

Amended by R.1998 d.66, effective January 20, 1998.

See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

In (a), inserted a reference to diplomate status; and in (e), specified that degrees be related to the practice of social work.

### 13:44G-11.5 Advertisements regarding fees; required disclosures

(a) Advertisements regarding fees shall be limited to those which contain a fixed or a stated range of fees for specifically described social work services.

(b) A social worker who advertises a fee or range of fees shall include the following disclosures in any such advertisement:

1. All relevant and material variables and considerations which are ordinarily included in the advertised services so that the fee will be clearly understood by prospective clients. In the absence of such disclosures, the stated fees shall be presumed to include everything ordinarily required for the advertised services;

7. The patient or client agrees to waive the privilege accorded by this section. In circumstances when more than one person in a family is receiving social work services, each family member who is at least 14 years of age or older must agree to the waiver. Absent a waiver of each family member, a social worker shall not disclose any information received from any family member.

(b) A social worker shall establish and maintain a procedure to protect the client record from access by unauthorized persons.

(c) The social worker shall establish procedures for maintaining the confidentiality of client records in the event of the social worker's relocation, retirement or death and shall establish reasonable procedures to assure the preservation of client records in accordance with the time frame set forth in N.J.A.C. 13:44G-12.1(e) in the event of the social worker's separation from a group practice.

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

In (a)7, inserted "who is at least 14 years of age or older" in the second sentence; and in (c), inserted a reference to the time frame set forth in N.J.A.C. 13:44G-12.1(e).

Amended by R.2003 d.265, effective July 7, 2003.

See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

In (a), inserted "including after the death of a client" following "for the client" in the introductory paragraph, deleted the N.J.S.A. and C.F.R. reference in 1, and rewrote 4.

Amended by R.2008 d.311, effective October 20, 2008.

See: 40 N.J.R. 2211(a), 40 N.J.R. 6209(b).

In (a)3, substituted "a judge's" for "an".

### 13:44G-12.4 Release of client record

(a) At the written request of the client or authorized representative, a social worker shall provide the client record or a summary thereof, within 30 days of the request directly to:

1. The client or the client's guardian, except that:

i. A social worker may withhold information contained in the client record from a client or the client's guardian if, in the reasonable exercise of his or her professional judgment, the social worker believes release of the information would adversely affect the client's health or welfare; and

ii. Pursuant to N.J.S.A. 9:17A-1 et seq. the social worker shall not be required to release to a minor client's parent or guardian records or information relating to the minor's sexually transmitted disease, termination of pregnancy or substance abuse.

2. The client's health insurance carrier. Only the following basic information shall be provided. The information provided shall be marked "Confidential" and forwarded to the attention of a specific individual if identified by the client or authorized representative.

i. The client's name, age, sex, address, educational status, identifying number within the insurance program, date of onset of difficulty, date of initial consultation,

dates and character of sessions (individual or group) and fees;

ii. Diagnostic information, defined as therapeutic characterizations of the type found in the current version of the DSM or in another professionally recognized diagnostic manual;

iii. Status of the client (voluntary or involuntary; inpatient or outpatient);

iv. The reason for continuing social work services, limited to an assessment of the client's current level of functioning and level of distress. Each aspect shall be described as "none," or by the term mild, moderate, severe or extreme; and

v. Prognosis, limited to an estimate of the minimal time during which treatment might continue.

3. Another licensed health care professional, hospital, nursing home or similar licensed institution which is providing or has been asked to provide treatment to the client.

(b) A social worker may elect to provide a summary of the client record, as long as the summary adequately reflects the client's history and treatment, unless otherwise required by law.

(c) A social worker may charge a reasonable fee for the reproduction of the client record or the preparation of a summary. The fee shall be no greater than an amount reasonably calculated to recoup the costs of copying or transcription.

(d) A social worker shall not charge a fee for completion of health insurance claim forms.

(e) A social worker may charge a reasonable fee for completion of reports required for third party reimbursement of client treatment expenses when the third party makes a separate request for reports to be completed.

1. If additional information is requested by a third party, the social worker shall procure informed consent from the client for release of the specific information requested.

(f) When a report is needed to enable a client to receive ongoing care by another practitioner or for use in judicial proceedings, a social worker shall not require advance payment as a condition for releasing the report; except that a social worker may require advance payment for release of a report prepared by the social worker as an expert witness.

(g) This section shall not apply to a social worker in an agency setting who does not, by agency policy, have control over or authority to release client records.

Amended by R.1998 d.66, effective January 20, 1998.

See: 29 N.J.R. 4388(a), 30 N.J.R. 372(b).

In (f), added "when the third party makes a separate request for reports to be completed" at the end of the first sentence, and added 1.

Amended by R.2003 d.265, effective July 7, 2003.

See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

In (a), inserted "written" preceding "request" in the introductory paragraph; deleted (b) and recodified former (c) through (h) as (b) through (g).

SUBCHAPTER 13. (RESERVED)

SUBCHAPTER 14. FEES

13:44G-14.1 Fees

(a) Charges for licensure, certification and other services:

- 1. Application fee ..... \$ 75.00
- 2. Initial clinical license fee:
  - i. If paid during the first year of a biennial renewal cycle ..... \$160.00
  - ii. If paid during the second year of a biennial renewal cycle ..... \$80.00
- 3. Initial license fee:
  - i. If paid during the first year of a biennial renewal cycle ..... \$120.00
  - ii. If paid during the second year of a biennial renewal cycle ..... \$60.00
- 4. Initial certification fee:
  - i. If paid during the first year of a biennial renewal cycle ..... \$70.00

- ii. If paid during the second year of a biennial renewal cycle ..... \$35.00
- 5. Clinical license renewal fee, biennial ..... \$160.00
- 6. License renewal fee, biennial ..... \$120.00
- 7. Certification renewal fee, biennial ..... \$70.00
- 8. Late renewal fee ..... 100.00
- 9. Inactive fee ..... (To be set by the Director by regulation)
- 10. Reinstatement fee ..... 150.00
- 11. Endorsement fee ..... 75.00
- 12. Duplicate wall certificate ..... 40.00
- 13. Verification of licensure/certification ..... \$25.00
- 14. Duplicate license ..... 25.00
- 15. Verification of continuing education credits ..... 40.00
- 16. Continuing education fees:
  - i. Continuing education sponsors (biennial) ... \$100.00

Amended by R.1996 d.279, effective June 17, 1996. See: 28 N.J.R. 1597(a), 28 N.J.R. 3179(a).

Reduced fees.

Amended by R.1997 d.167, effective April 7, 1997. See: 28 N.J.R. 4733(a), 29 N.J.R. 1342(a).

Added (a)15.

Amended by R.2003 d.265, effective July 7, 2003. See: 35 N.J.R. 380(a), 35 N.J.R. 2936(b).

In (a), inserted a new 9 and 15 and recodified former 9 through 13 as 10 through 14 and former 14 through 15 as 16 through 17; deleted ii.

Amended by R.2008 d.311, effective October 20, 2008.

See: 40 N.J.R. 2211(a), 40 N.J.R. 6209(b).

Deleted former (a)13; and recodified (a)14 through (a)17 as (a)13 through (a)16.