

5. The social worker is a party defendant to a civil, criminal or disciplinary action arising from the social work services provided, in which case a waiver of the privilege accorded by this section shall be limited to that action.

6. The patient or client is a defendant in a criminal proceeding and the use of the privilege would violate the defendant's right to a compulsory process or the right to present testimony and witnesses on that person's behalf.

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 must agree to the waiver. Absent a waiver from 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 the event of the social worker's separation from a group practice.

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

(a) At the 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 require a record request to be in writing.

(c) 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.

(d) 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.

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

(f) A social worker may charge a reasonable fee for completion of reports required for third party reimbursement of client treatment expenses.

(g) 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.

(h) 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.

SUBCHAPTER 13. (RESERVED)

SUBCHAPTER 14. FEES

**13:44G-14.1 Fees**

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

- 1. Application fee..... \$ 75.00

<ul style="list-style-type: none"> <li>2. Initial clinical license fee:               <ul style="list-style-type: none"> <li>i. If paid during the first year of a biennial renewal period ..... 220.00</li> <li>ii. If paid during the second year of a biennial renewal period ..... 110.00</li> </ul> </li> <li>3. Initial license fee:               <ul style="list-style-type: none"> <li>i. If paid during the first year of a biennial renewal period ..... 160.00</li> <li>ii. If paid during the second year of a biennial renewal period ..... 80.00</li> </ul> </li> <li>4. Initial certification fee:               <ul style="list-style-type: none"> <li>i. If paid during the first year of a biennial renewal period ..... 100.00</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>ii. If paid during the second year of a biennial renewal period ..... 50.00</li> <li>5. Clinical license renewal fee, biennial ..... 220.00</li> <li>6. License renewal fee, biennial ..... 160.00</li> <li>7. Certification renewal fee, biennial ..... 100.00</li> <li>8. Late renewal fee ..... 100.00</li> <li>9. Reinstatement fee ..... 150.00</li> <li>10. Endorsement fee ..... 75.00</li> <li>11. Duplicate wall certificate ..... 40.00</li> <li>12. Change of address ..... 25.00</li> <li>13. Verification of licensure/certification ..... 40.00</li> <li>14. Verification of continuing education credits ..... 40.00</li> </ul>
---	---