

CHAPTER 44G

STATE BOARD OF SOCIAL WORK EXAMINERS

Authority

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

Source and Effective Date

Effective: July 16, 2015.
See: 47 N.J.R. 2165(a).

Chapter Expiration Date

Chapter 44G, State Board of Social Work Examiners, expires on July 16, 2022.

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 Subchapter 5, Licensure Without Examination; Certification Without Proof of Educational Criteria; Endorsement, was repealed, as R.1998, d.66, effective January 20, 1998.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: 40 N.J.R. 2211(a), 40 N.J.R. 6209(b).

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).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 44G, State Board of Social Work Examiners, was scheduled to expire on September 18, 2015. See: 43 N.J.R. 1203(a).

Chapter 44G, State Board of Social Work Examiners, was readopted, effective July 16, 2015. See: Source and Effective Date.

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**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

5. Proof that the applicant has successfully completed the clinical examination administered by the ASWB;

6. Proof that the applicant was an LSW at the time that the experience in (a) above was acquired, or proof that the applicant engaged in social work practice in a setting in which licensure is not required pursuant to N.J.S.A. 45:15BB-5; and

7. A signed consent form acknowledging that the Board will perform a criminal history background check as a pre-requisite of licensure.

Amended by R.1996 d.19, effective January 2, 1996.

See: 27 N.J.R. 1755(a), 28 N.J.R. 189(a).

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 "subsequent to earning a master's degree in social work"; and in (b), rewrote 4, deleted "unless the applicant is applying for licensure without examination pursuant to the provisions of N.J.A.C. 13:44G-5.1" in 5, and added 6.

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

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

Rewrote the section.

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 (b) and in (b)6, substituted "an" for the first occurrence of "a"; in (b)5, deleted "and" from the end; in (b)6, substituted "; and" for a period at the end; and added (b)7.

Cross References

Exemption, see N.J.A.C. 13:44G-4.5.

13:44G-4.2 Eligibility requirements; LSW

(a) An applicant for licensure as an LSW 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. A signed consent form acknowledging that the Board will perform a criminal history background check as a pre-requisite of licensure;

4. An official transcript indicating that the applicant has 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 in social work from an accredited institution of higher education; and

5. Proof of successful completion of the master's level examination administered by the ASWB.

i. An applicant pursuing a master's degree in social work and enrolled in the last semester of an educational program accredited or in candidacy for accreditation by the Council on Social Work Education is eligible to take the master's level examination.

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)4, deleted "unless the applicant is applying for licensure pursuant to the provisions of N.J.A.C. 13:44G-5.2", and added i.

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 "LSW" for "social worker" in the introductory paragraph.

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 (a), substituted "an" for "a"; added new (a)3; recodified former (a)3 and (a)4 as (a)4 and (a)5; in the introductory paragraph of (a)5, substituted "master's level" for "intermediate" and "ASWB" for "American Association of State Social Work Boards"; and in (a)5i, substituted "master's level" for "intermediate".

Cross References

Exemption, see N.J.A.C. 13:44G-4.5.

13:44G-4.3 Eligibility requirements; CSW

(a) An applicant for certification as a CSW 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. A signed consent form acknowledging that the Board will perform a criminal history background check as a prerequisite of certification; and

4. The following documents:

i. An official transcript indicating that the applicant has received a baccalaureate degree in social work from an educational program accredited, or in candidacy for accreditation, by the Council on Social Work Education; or

ii. An official transcript indicating that the applicant acquired a baccalaureate degree prior to April 6, 1995, from an accredited institution of higher education in one of the following fields: Guidance and Counseling, Human Services, Marriage and Family Counseling, Psychology, Sociology, Vocational/Disability Rehabilitation, and Social Work (from institutions not accredited, or in candidacy for accreditation, by the Council on Social Work Education) and an affidavit or other form as the Board may require attesting to the applicant having acquired one year of full-time social work experience (1,600 hours in any consecutive 18-month period) prior to April 6, 1995.

Amended by R.1996 d.423, effective September 3, 1996.

See: 28 N.J.R. 2319(a), 28 N.J.R. 4103(a).

In (a)3 deleted exception for applicants applying for certification under 13:44G-5.3 and added provision for applicants acquiring baccalaureate degrees prior to April 6, 1995.

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 "CSW" for "social worker" in the introductory paragraph.

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)2, deleted "and" from the end; added new (a)3; and recodified former (a)3 as (a)4.

13:44G-4.4 Refusal to issue, suspension or revocation of license or certification

The Board may refuse to issue or renew or may suspend or revoke any license or certification issued by the Board, after an opportunity to be heard pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., for any of the reasons set forth in N.J.S.A. 45:1-21.

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

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

13:44G-4.5 Endorsement

(a) An applicant who is licensed or registered under the laws of a state, territory or jurisdiction of the United States and who otherwise meets the requirements of N.J.A.C. 13:44G-4.1 and 4.2 may be exempted from the examination requirements of N.J.A.C. 13:44G-4.1 and 4.2 provided that:

1. The educational and experiential requirements of the state, territory or jurisdiction are substantially the same as the requirements of N.J.S.A. 45:15BB-1 et seq.; and
2. The applicant has passed an examination which is similar to the Board-required examination.

(b) An applicant for licensure pursuant to this section shall submit the following to 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. A signed consent form acknowledging that the Board will perform a criminal history background check as a pre-requisite of licensure;
4. The documentation required pursuant to N.J.A.C. 13:44G-4.1 or 4.2 relative to educational and experiential requirements for the type of licensure sought; and
5. Examination results.

Recodified from 13:44G-5.4 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, substituted "passed" for "taken".

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), amended the N.J.S.A. reference in 1 and substituted "required" for "approved" following "Board".

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

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

Added new (b)3; and recodified former (b)3 and (b)4 as (b)4 and (b)5.

SUBCHAPTER 6. CONTINUING EDUCATION

13:44G-6.1 License and certification renewal and continuing education requirement

Any applicant who applies for a license or certification renewal shall confirm on the renewal application that the applicant has completed continuing professional education programs or courses of the types and number of credits specified in N.J.A.C. 13:44G-6.2, 6.3 and 6.4. The Board shall not issue a license or certification renewal to any applicant who fails to confirm that the applicant has completed the continuing professional education requirements unless the Board issues the applicant a valid waiver pursuant to N.J.A.C. 13:44G-6.6.

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

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

Rewrote the first sentence.

13:44G-6.2 Credit-hour requirements

(a) An applicant for a biennial license or certification renewal shall complete the applicable continuing education credits as follows:

1. An LCSW shall complete a minimum of 40 credits of continuing education, of which at least 20 of the 40 credits shall be in courses or programs directly related to clinical practice and five credits must be related to ethics. If the LCSW earns more than 40 credits during a biennial period, the LCSW may carry a maximum of eight surplus credits into a succeeding biennial period;
2. An LSW shall complete a minimum of 30 credits of continuing education, five of which must be related to ethics. If the LSW earns more than 30 credits during a biennial period, the LSW may carry a maximum of six surplus credits into a succeeding biennial period; and
3. A CSW shall complete a minimum of 20 credits of continuing education, five of which must be related to ethics. If the CSW earns more than 20 credits during a biennial period, the CSW may carry a maximum of four surplus credits into a succeeding biennial period.

(b) If an applicant initially obtains a license or certificate within the second year of a biennial license period, the applicant shall complete not fewer than one-half of the minimum required credits of continuing education, three credits of which shall be in ethics related courses. A LCSW shall complete a least 10 of the 20 credits in programs which directly relate to clinical practice.

(c) A licensee shall complete at least three of the prescribed contact hours of continuing education as required by (a) above in the subject area of social and cultural competence. For the purposes of this subsection, social and cultural competence includes, but is not limited to, an understanding of the cultural context of relationships; issues and trends in a diverse society related to such factors as culture, ethnicity,

SUBCHAPTER 5. (RESERVED)